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# Hooded Secularism: Exclusion and “100 Percent Americanism”’s Version of Separation of Church and State

Kevin Rhoads

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HOODED SECULARISM:  
EXCLUSION AND "100% AMERICANISM"'S VERSION OF SEPARATION OF CHURCH  
AND STATE

by

KEVIN RHOADS

Under the Direction of H. Robert Baker, PhD

ABSTRACT

From the colonial era, through the beginning of the 20th century, Catholics had difficulty finding a place in America's overwhelmingly Protestant culture. Yet, as the stressors of the "New Immigration" and WWI led to the nativist response called "100% Americanism," hostility against Catholics intensified. At the same time, one of the principles that nativists celebrated with greatest exuberance was America's tradition of religious freedom. How could anti-Catholic secularists think that they were actually protecting religious freedom by excluding Catholics from the public square? My thesis is that advocates of "100% Americanism," like their Protestant forbearers, based the boundaries of the public square on an individualistic epistemology, such that their religious beliefs were welcomed and encouraged but Catholic beliefs were excluded.

INDEX WORDS: 100% Americanism," Elizabeth Schoffen, The Ku Klux Klan, Anti-Catholicism, Oregon Compulsory Education Act, *Pierce v. Society of Sisters*

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KEVIN RHOADS

A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of

Master of Arts

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Georgia State University

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May 2015

## **DEDICATION**

I would like to dedicate this thesis to my wife, Amy, and my daughters, Sophia and Esther, who have put up with so much of my energy being devoted to my masters.

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## 1 INTRODUCTION

From the colonial era through the beginning of the 20th century, Catholics had difficulty finding a place in America's overwhelmingly Protestant culture. Yet, as the stressors of the "New Immigration" and WWI led to the nativist response called "100% Americanism," hostility against Catholics intensified. "100% Americanism" (or simply "Americanism" for short) consisted of public commitment to cultural values that made America the most blessed country in the world and the guardian of liberty. Paradoxically, while Americanists (adherents to "100% Americanism") celebrated America's tradition of religious freedom, they also attempted to restrict the rights of Catholics and to exclude them from the public square. However evident today, the paradox was not readily apparent to people in the early twentieth century. My central thesis is that advocates of "100% Americanism" based the boundaries of the public square on an individualistic epistemology which welcomed Protestant beliefs but excluded Catholic beliefs. Americanists viewed the Catholic commitment to hierarchy as a threat to a religious freedom founded on individual autonomy and therefore attempted to diminish Catholicism as a source of legitimacy. To accomplish this goal, Americanists passed legislation that restricted Catholic involvement in the public square and used the common school to replace children's loyalty to the Catholic Church with loyalty to America.

Americanists failed to recognize that individualistic epistemology was itself an exclusionary belief system. It often had religious trappings, even if its proponents did not see it in that way. For example, Americanists considered Bible reading in the public schools to be secular, since each individual would bring her own interpretation to the scriptures. If no church hierarchy were involved, there would be no intermingling of church and state. However, this

approach left out Catholics who rejected such “private interpretation” on the grounds that it denied the authority that Christ had granted the Church to interpret scripture.

In this chapter, I provide the background for an understanding of the anti-Catholicism of "100% Americanism." First, I describe the seminal characteristics of "100% Americanism" itself. Then, I articulate the worldview of the Protestant individualistic epistemology that dominated Americanist thought. Lastly, I show how that worldview led to the exclusion of Catholics from equal participation in politics and public education.

The groundwork I have laid in this chapter will enable me to show how certain key actors within "100% Americanism" responded to the stressors of the early 20th century by establishing an even more exclusionary system than that of their 19th century predecessors. Those actors include Elizabeth Schoffen (a nun who converted to Protestantism and became a nativist activist opposing Catholicism), the early 20th century KKK, and the advocates of the Oregon Compulsory Education Act (OCEA, a law that outlawed private schools, with Catholics as the primary target).

## 1.1 Summary of "100% Americanism

The “public code”<sup>1</sup> that dominated the early 20<sup>th</sup> century nativist political culture was “100% Americanism.” Across the country, groups like the Masons supported efforts to force children to attend public schools where they would be indoctrinated in “100 % Americanism.” As one gubernatorial candidate noted, we should “teach pure Americanism to all pupils at an

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<sup>1</sup> The phrase “public code” comes from Robert Darnton. Darnton “reads” history for the meaning that contemporaries inscribed in what survives of their vision of the world. It starts with the premise that individual expressions take place within a general idiom (what Geertz calls a “public code.”) We make sense of things from within a framework provided by our culture. Consequently, the historian should be able to discover the social dimension of thought and then tease meaning from texts by relating them to the “surrounding world of significance.” In this manner, she passes from text to context and back until she has made sense of a foreign mental world (Robert Darnton, *The Great Cat Massacre and Other Episodes in French Cultural History* (New York: Vintage, 1985), 3, 6).

early age.”<sup>2</sup>“100% Americanism” consisted of being white, Protestant, and patriotic. Politicians accessed “100% Americanism” in their addresses to the people, and the people demanded it be taught in the schools.

Americanism “signifies both what is distinctive about the United States...and loyalty to” the nation’s political ideals. The advent of European nationalism in the nineteenth century involved its share of myth-making,<sup>3</sup> but countries like England, France, and even Germany could at least appeal to shared language, ethnic heritage, and long-standing traditions (however chimerical). Unlike other nations, however, Americans were self-consciously polyglot and young. As a result, Americans turned to ideas to unite themselves. As Richard Hofstadter noted, “It has been our fate as a nation not to have ideologies but to be one.” Consequently, battles over who qualifies as an American have revolved around battles to define America’s ideals.<sup>4</sup>

Two important aspects of Americanism—exceptionalism and anti-Catholicism—have their roots in Puritan society. Exceptionalism holds that God has singled out America more than any other nation to advance the causes of liberty and of Christianity. John Winthrop called his fellow Puritans to erect a “city on a hill,” and later generations applied the concept to America in general.<sup>5</sup> Various forms of millennialism have reinforced the idea that God has a vital role for America to play in his plans, perhaps even helping to bring about the escaton. Millennial hopes for America emanated from all quarters of the republic, from university presidents to

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<sup>2</sup> Paula Abrams, *Cross Purposes: Pierce vs. Society of Sisters and the Struggle over Compulsory Public Education* (Ann Arbor: The University of Michigan Press, 2009), 7-8.

<sup>3</sup> As Eric Hobsbawm has argued, rather than growing out of the long-standing traditions, nationalisms are political constructions; nationalism is forged by sovereignty, rather than vice versa (Michael Walzer, “Only Connect,” *New Republic* 203, no. 7: 32).

<sup>4</sup> Michael Kazin, “Americanism,” in Michael Kazin, ed., *The Concise Princeton Encyclopedia of American Political History*, (Oxford: Princeton University Press, 2011), 13.

<sup>5</sup> Ibid., 12-13.

women's magazine editors. Francis Wayland, president of Brown, proclaimed that "It is for us ... to say, whether the present religious movement shall be onward, until it terminate in the universal triumph of the Messiah...The church has for two thousand years been praying, 'Thy kingdom come.' Jesus Christ is saying unto us, 'It shall come if you desire it.'" The invention of the telegraph spurred one editor to prophesy: "This noble invention is to be the means of extending civilization, republicanism, and Christianity over the earth...Our government will be the grand center of this mighty influence,...and we shall behold the grand spectacle of a whole world, civilized, republican, and Christian. Then will wrong and injustice be forever banished."<sup>6</sup>

Meanwhile, the Puritan drive to purge their church of "Romish corruptions" would reinforce the anti-Catholicism that the colonists had inherited from England.<sup>7</sup> This anti-Catholicism would provide the core around which other nativist traits would accrete. To be American would mean to have certain personal characteristics, and nativists viewed Catholicism as inherently incompatible with those traits.

Applying the beliefs of the Puritan settlements to the country at large, many of the founders believed that providence had created America for a special purpose. Then, the Second Great Awakening injected that "messianic ambition" with the principles of evangelicalism, and "the idea that anyone, regardless of learning or social background, can 'come to Christ'...dovetailed with the belief in equal rights emblazoned in the Declaration of Independence."<sup>8</sup>

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<sup>6</sup> D. G. Hart, *A Secular Faith: Why Christianity Favors the Separation of Church and State*, Kindle Edition (Chicago: Ivan R. Dee, 2006), Kindle Locations 342-354.

<sup>7</sup> David H. Bennett, "Nativism," in *The Encyclopedia of American Political History*, ed. Paul Finkelman and Peter Wallenstein (Washington D.C.: CQ Press, 2001), 259.

<sup>8</sup> Kazin, "Americanism," 13, 14.

In the 1850s, Americanism lay behind the Know-Nothings' animosity to Irish "papists" in political power.<sup>9</sup> The Know-Nothings charged that Catholics undermined public education and that subservience to church authorities made Catholics unfit for citizenship in a democracy.<sup>10</sup> After Reconstruction, anxiety grew about America's fast-paced growth and increasing cultural fragmentation. In this context, patriots attempted, as the political theorist Michael Walker said, "to make a religion out of citizenship." For example, the Grand Army of the Republic created Memorial Day to "associate love of country with selfless loyalty in battle."<sup>11</sup>

The "new immigration" of the late nineteenth and early twentieth century invigorated nationalism, leading to the formation of new anti-alien groups, such as the American Protective Association, that called for immigration restrictions. Since the "new immigrants" were not from predominantly Protestant countries, anti-Catholicism spiked.<sup>12</sup>

When the pressures of imperialism were added to those of the new immigrants, Progressive Americanists looked to America's melting pot to remove loyalty to immigrants' native countries. As World War I intensified fear of foreign cultures, the newly formed American Legion encouraged a "100% Americanism" that stressed the self-protective aspects of Americanism.<sup>13</sup> In the 1920s, the Ku Klux Klan was reborn with an anti-Catholic, anti-immigrant twist to become a major exponent of "100% Americanism."<sup>14</sup>

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<sup>9</sup> Ibid., 14.

<sup>10</sup> Bennett, "Nativism," 259.

<sup>11</sup> Kazin, "Americanism," 14.

<sup>12</sup> Bennett, "Nativism," 259.

<sup>13</sup> Kazin, "Americanism," 14-15.

<sup>14</sup> Bennett, "Nativism," 259.

"100% Americanism" consisted of the following fundamental principles:

- America is the greatest country in the world—free, prosperous, and civilized.
- What makes America so great is its principles of morality and liberty.
- However, for those principles to be reified, citizens must sacrifice their sectarian preferences to create a common culture in which those principles will grow. According to this line of thinking, there is nothing inherently bad about the various religious sects of America being devoted to their unique set of beliefs. However, they should be willing to subordinate those idiosyncrasies to the greater principles to which all Americans subscribe and which made America great. Failure to do so amounted to sectarianism, one of the greatest dangers to the foundation of America's greatness.
- Rival values threaten to undermine what makes America great.
- The most ominous of those forces is Catholicism. Catholicism is a threat because:
  - It fosters a herd mentality that refuses to integrate with the rest of the culture. Consequently, it resists those principles of liberty and morality that come from that culture.
  - It is beholden to a power other than America.
    - This power is foreign, so not planted in the American soil of liberty.
    - This power is undemocratic—it is run by a monarch, the Pope.
    - This power makes Catholics treacherous because they have a higher loyalty than patriotism.



## **1.2 How the Protestant individualistic Epistemology Excluded the Catholic Belief System from the Public Square**

Americanists legitimated their restrictions of Catholic influence in the public square with a worldview that I shall call the Protestant individualistic epistemology. Americanists assumed an individualistic origin to religious beliefs. Under the Protestant individualistic epistemology, individual citizens would bring their religious beliefs to bear on public policy, but no single sect would force its way on others since each individual came to their beliefs unhindered by an external sacerdotal authority.

As long as Americans held to the Protestant individualistic epistemology, wherein each individual was the ultimate master of her own beliefs, this approach could satisfy all inhabitants of the public square. However, the presence of Catholicism exposed how the Americanist agenda actually privileged Protestantism over all other faiths. Since Catholics looked to church authority for guidance in coming to their beliefs, the Protestant majority deemed their beliefs to be outside the bounds of what was acceptable in the public square. It was only logical, therefore, that the Protestant majority denied Catholics full participation in the public square. Americanists felt no qualms about this exclusion because, by excluding Catholic beliefs, they were merely denying a “foreign prince” (the Pope) access to the levers of power in the democracy.

Americanists repeatedly claimed that they only wanted to preserve the opportunity for individuals to choose what to believe for themselves. They allowed and even encouraged Americans to bring their religious scruples into the political arena, as long as those were the beliefs that individuals had developed on their own, and not at the command of a hierarchical authority. Bringing in the dictates, not of individual conscience, but of a hierarchy’s authority violated the separation of church and state. What nativists failed to recognize was that the level

of involvement that a hierarchy should have in choosing one's beliefs is not a disinterested perspective, accessible to all rational and well-meaning interlocutors but is itself a belief that grew out of their Protestant individualistic epistemology.

Anti-Catholic secularists construed objection to their worldview as sectarian, unreasonable, and dangerous. As KKK Exalted Cyclops Gifford said, "We do not see how any genuine American could differ with us as to this." By placing Catholics outside of the secular realm and into the sectarian, they effectively marked them as "other," as alien. Given the strong connection Americanists asserted between loyalty to the common cause and being worthy of citizenship, Catholics could not help but perceive these forces with foreboding.

A prime example of the Americanist animosity toward Catholics comes from ex-nun Elizabeth Schoffen, one of the central characters of this study. Raised in a Catholic family, with a zealously religious but uneducated mother, Schoffen entered the convent as soon as she became an adult. Eventually, she became disillusioned with convent life and then with Catholicism, leaving both by the time she reached middle age. Contemporaneous with the peak of the popularity of both "100% Americanism" and with KKK activity in Oregon, as well as with Oregonian Americanists' attempts to ban Catholic schooling, she published a biography purporting to expose the corruption of the Catholicism from the inside. Subsequently, her speaking tour of Oregon packed auditoriums with Americanists who resonated with her message. Schoffen confirmed Catholic fears of Americanist hostility toward them by suggesting they might be capable of a "second St. Bartholemew's Day." According to Schoffen, the only sure protection from a repeat of the most treacherous partisan (sectarian) assault in history, was nonsectarianism—"patriotic men and women [must] unite on one common ground and for the one cause—love of God, freedom and country."

Due to American Catholics' refusal to accept the privatizing imperatives of the Protestant individualistic epistemology and its commitment to the authority of the Roman hierarchy that led to that refusal, Americanists considered Catholicism a threat to religious freedom. In previous epochs, Protestants had simply taken turns with Catholics in oppressing whoever did not hold power. However, Americanists prided themselves on upholding religious freedom. They insisted that Catholics were perfectly free to practice their religion within the same bounds that held for everyone. Multifarious Protestant denominations refrained from advancing their denomination's unique stance on Christianity in public spheres, such as the common school. In doing so, they believed that they were making an essential contribution to the common weal. In light of this forbearance, perceived Catholic recalcitrance convinced many Americanists that Catholics were indeed a sectarian group that refused to cooperate for the common good. Some Americanists even viewed Catholicism as an imperial religion that hoped to seize power and force its way on everyone else. If Catholics attempted to remain true to deeply held convictions when they entered the public square, Americanists labeled them as sectarians who refused to live within the common bounds that applied to everyone. For example, Bridget Donahoe's school expelled her for refusing to read the King James Bible, which her priest told her was a sin to use. The court upheld her expulsion, arguing that, though public schools should not engage in religious instruction, "the creed of no sect was affirmed or denied." The courts went on implicitly to accept the argument that Protestantism served the goal of acculturation: "Large masses of foreign population are among us... Mere citizenship is of no avail, unless they imbibe the liberal spirit of our laws and institutions, unless they become citizens in fact as well as in name. In no other way can the process of assimilation be so readily and thoroughly accomplished as through the medium of the public schools."

Committed to the idea that America was the land of liberty, Americanists were loath to admit that their exclusion of Catholics on seemingly secular grounds was actually rooted in religious prejudice. Ideology blinded Americanists to this revelation. Since Catholics were just as free as anyone else to espouse beliefs arrived at based on individual conscience, or so the thinking went, they were not being singled out or discriminated against. But the deployment of the Protestant individualistic epistemology was never neutral. It was instead a power play, since the relationship of the individual's conscience to hierarchical authority was the very issue at stake in the conflict between Protestants and Catholics. Catholics pointed out this out, and Americanists responded by labeling them as unreasonable, and therefore beyond the boundaries that had been drawn by common sense and the common consent of all good Americans.

To clarify the concept of separation of church and state at work in the Protestant individualistic epistemology, students of the movement must distinguish between the two major nineteenth-century strands of the doctrine of "separation of church and state"—the Liberal version and the Americanist version. Most Americans today would agree with the definition of separationism given by Cornell's Legal Information Institute, which sees separation through the eyes of Justice Black in *Everson v. Board of Education*: not only may government not aid one religion over another; it may not even aid religion over non-religion. This definition aligns with the thinking of nineteenth century Liberal separationism, which banned any religious beliefs or practices from a role in government. Whereas Americanist separationists feared the threat that Catholic hierarchy posed to individual liberty, Liberal separationists feared the influence of all clerical hierarchies. Whereas anti-Catholic separationists had been content to act in accordance with their nativist Protestantism and only restrict the rights of Catholics, Liberals proposed a radically secular approach to separationism. The seminal Liberal separationist institution would

be the National Liberal League. It originated in 1874 in order to fight efforts of Christian organizations to amend the Constitution to recognize Christianity officially. The League responded with an alternative—alter the 1st Amendment to make both the U.S. and state governments officially secular. According to the *Index*, the mouthpiece of the Liberal movement, their proposed changes would serve as “the death-warrant of all attempts to pervert the Constitution to the service of Roman Catholicism or *any other form of Christianity*” (emphasis added).

Despite the attention drawn by Liberal attempts to alter the Constitution, Americanist separationism gained more popular support throughout the nineteenth century. Americanist separationism prevented the influence in government of any religious sect but allowed the influence of generic Christianity. Given much of Protestant America’s commitment to placing ultimate religious authority in the individual rather than in a religious hierarchy, banning the influence of the centralized authority of sects would allow the influence of their version of Christianity while proscribing the public influence of Catholicism with its centralized authority. Fear and loathing of Catholicism can be traced throughout American history, through the French and Indian War and back to America’s cultural roots in English Protestantism. Americans combined fear of the “whore of Babylon” with fear of Catholic ecclesiastical authority’s threat to individual mental freedom. Whereas Protestants followed their consciences, so the Americanist reasoning followed, Catholics were required to submit to the authority of the Church. Consequently, Americanists argued, if Catholics obtained political power, they would revive a “medieval intolerance.” Americanists often assured themselves that the foundations of their religious liberty lay in a separation of church and state. But, as Philip Hamburger argued, “they repeatedly revealed that [separationism] had a more substantial basis in their fears of the Catholic

Church and in their contrasting sense of their own individual independence as Protestants and Americans.” Of the two strands of nineteenth century separationism, I concentrate on Americanist separationism.

### **1.3 Americanists Applied the Protestant Individualistic Epistemology to the Public Square by Excluding Catholics from Equal Participation in Politics and Public Education**

The Protestant individualistic epistemology explains why Americanists could make contradictory claims and nonetheless feel consistent. For example, they repeatedly claimed that they were not anti-Catholic and that Catholics had the same rights as other Americans. But, Americanists warned that allowing Catholics to bring their personal beliefs into the public square to inform the purpose of laws, the decisions of politicians, or the content of school curriculum would allow a foreign ruler (i.e., the Pope) to interfere with American institutions that lay at the foundation of American liberties. Americanists argued that the only sure protection for the foundation of our liberties rested in “separation of church and state.” But, Americanists did not intend to exclude God from the public square. For instance, they considered Bible reading an irreplaceable way to inculcate the morality essential to every citizen’s education. Though they believed that the teaching of Catholic doctrine violated the Establishment Clause of the First Amendment, they did not think that Bible reading without an instructional gloss did so because no church or religious hierarchy was telling students what meaning to pull out of the Bible. What they failed to mention was that individual interpretation of scripture had always lay at the division between Protestants and Catholics. Americanists repackaged the Protestant individualistic epistemology as the objective grounds of liberty and equality for all.

### ***1.3.1 Catholics excluded from politics***

Even Bishop John Hughes, the most prominent defender of Catholics' right to participate in politics, felt compelled to resort to extremes to disclaim political participation. In the midst of a controversy over 1850s nativist church property laws that aimed at depriving Catholic bishops of control over their churches, Hughes was driven to declare that he had never voted. In contrast, Protestant ministers, who considered themselves the nation's moral compass, felt obliged to inject their views into the national political discussion. In response to the Nebraska bill, which opened up new territories to the spread of slavery, northeastern Protestant ministers preached thousands of sermons and 3,000 of them signed the following condemnation of the bill:

We protest against it as a great moral wrong, as a breach of faith eminently unjust to the moral principles of the community, and subversive of all confidence in national engagements; as a measure full of danger to the peace and even the existence of our beloved Union, and exposing us to the righteous judgments of the Almighty: and your protestants, as in duty bound, will ever pray."

David Sehat labels this phenomena the "moral establishment," whereby a powerful religious minority considered it their duty to enforce God's moral norms through law. He argued that Chief Justice of the New York Supreme Court, James Kent, gave the "moral establishment" its founding principle and precedent in *People v. Ruggles*. Ruling for a unanimous court (comprised of both Democrats and Federalists), Kent upheld Ruggles's conviction for blasphemy based on the argument that Christianity was "interwoven with the [common] law of the land."

### ***1.3.2 Catholics excluded in public education***

Much of the Americanist concepts of separationism and sectarianism came from fights over schooling. The vision of public education in the nineteenth century was quite unlike the

vision of public education held by many Americans today, wherein students are to acquire skills for the workforce in environments devoid of religious messages. Nineteenth century education reformers envisioned public schools that were “profoundly and explicitly religious and saturated with moral purpose.” National Education Association president, Emerson Elbridge White spoke for the majority of 19th century education leaders: “There can be no freedom without morality; there can be no morality without religion; there can be no religion without the Bible... If such ideas, with such a spirit, control the American teacher, the republic is safe; without them, notwithstanding all our glorious history, we shall die the death of the people who have gone before us.” Earlier NTA presidents had proffered the same theme. In 1859, Andrew Jackson Rickoff asserted, “The only safeguard for the country...is education founded upon the principles of pure Christianity and true religion.” In 1866, James Pyle Wickersham, state superintendent of public schools in Pennsylvania and NTA president, said, “Educators of American children, it is your highest duty to open this eye of faith that it may discern the mysteries which God, in the plenitude of his mercy, writes upon the soul of man, reveals in the Bible, and exemplifies in the life of his Son, Jesus of Nazareth” (NTA *Proceedings* 1866: 608).” Given these assumptions, the curriculum would have to include Bible reading.

However, as Samuel Stillman Greene (1865 NTA president) pointed out, a serious argument against religious instruction in public schools existed despite its apparent necessity: “the danger of some sectarian bias.” The solution of the education elite was that the religion taught in public schools should be “nonsectarian.” The word “nonsectarian” pervaded the writings of Americanist separationism. With this term, they could appear to establish a “common ground,” but still exclude sectarians like the Catholics. As one NTA convention delegate stated: “By Christianity, I do not mean any form of ecclesiasticism, nor do I mean any



form of sectarianism. I mean not the creed of Rome, of Oxford, or of Geneva, but of Nazareth. . . I mean by Christianity, the teachings of the New Testament, as the inspired word of God, and more especially the life and teachings of Christ himself.” When Richard Stockton Field asserted "You cannot give religious instruction . . . in the public schools” at the 1869 NTA convention, he meant “particularistic doctrinal religious teaching.” Emerson Elbridge White (who was later president of Purdue University) elaborated on Field’s point by “addressing two ‘extreme’ positions regarding religious instruction in public schools:

In the first place, there are those who believe that no instruction is in any just sense religious that does not teach religious doctrines, dogmas, catechisms, forms of worship, etc.; that does not teach *technical* religion. It is held that it is impossible to separate doctrines, creeds, rituals, etc., from Christian instruction. This is the Roman Catholic view, and consequently they denounce all schools as irreligious and godless in which the church does not come in to teach her doctrines and rites...Over against this extreme, is the demand that *all* religion be excluded from the common schools. (*italics in original*)

White preferred the “moderate” middle ground that would incorporate religious teachings but filter out the sectarian.

Horace Mann, the most famous leader of the movement for common schools, could view religious instruction as secular education because what he meant by “secular” was the exclusion of religious teachings that were "not common to all" denominations. In order to reach a standard of toleration that relied on principles that were independent of any one sect and thereby avoid “installing in a position of privilege...any of the views held by a diverse citizenry,” public school activists would need a generic brand of Christianity.

Catholics, however, could not accede to such a generalized Christianity. As one prominent Catholic education theorist, Archbishop John Ireland, said, “This will not do. Catholics in fidelity to their principles cannot accept a common Christianity. What comes to them not bearing on its face the stamp of Catholicity, is Protestant in form and in implication.”

This statement came from a man whom conservative Catholics considered “the most infamous of the liberal Catholic leaders.” If even liberal Catholics could not cooperate with a mandatory generic Christianity, there appeared to be little hope for Catholics to find a place in the Americanists’ system. Advocates of generic Christianity in public education did not appreciate this willful dissent, so it is no surprise that “Anti-Catholicism...pervaded the NEA from its founding.”

The 19th century influx of Catholics increased the urgency Americanists felt in calling for public schooling—the first mandatory attendance law originated with the Know-Nothings as a tool to force Catholic children into public schools for their assimilation. A *Common School Journal* editorial reflected the prevailing sentiment concerning this law:

The English Bible...has, ever since the settlement of Cambridge, been read in its public schools, by children of every denomination; but [now] the ignorant immigrants, who have found food and shelter in this land of freedom and plenty, made free and plentiful through the influence of these very scriptures, presume to dictate to us, and refuse to let their children read as ours do, and always have done, the Word of Life. The arrogance, not to say impudence, of this conduct, must startle every native citizen, and we cannot but hope that they will immediately take measures to teach these deluded aliens, that their poverty and ignorance in their own country arose mainly from their ignorance of the Bible.

When Catholics protested the reading of the King James Bible in public schools, they were accused of conspiring to destroy public education. Given the moral educational purposes of schools, being placed in opposition to public schools put Catholics in the unenviable role of supposedly undermining the morality upon which a free society can be built. Even if Catholics had been allowed to read the Douay Bible (the version approved by the Catholic Church), many

Catholics still would have been prevented from attending public school by their consciences. Liberal Protestants and evangelicals had compromised over how to interpret the Bible by agreeing just to read the Bible and not interpret it, letting it “speak for itself.” This compromise left out Catholics who rejected such “private interpretation” on the grounds that it denied the authority that Christ had granted the Church to interpret the scripture. Unfortunately for Catholics, their inability to conform to American society’s religious paradigm reinforced the popular image of Catholics as troublesome and sectarian. Protestants were willing to sacrifice their denominations’ idiosyncratic interpretation of scripture for the common good. Why couldn’t Catholics? When they complained about Bible reading in public schools, they appeared to be “uncompromising,” sectarian, and unwilling to work for the common good.

When many Catholics abandoned the public system and sought funding for an alternative system, they were met, occasionally with mob violence and uniformly with denial by state legislatures. Catholics eventually relented in their effort to obtain public funding for their schools. However, they pointed out that what was being taught in the schools (Bible reading without interpretation) was in effect generic Protestantism.

Hostile audiences again charged the Catholic Church with a conspiracy to destroy public education. The treatment Cardinal James Gibbons received after presenting a paper at the 1889 NEA convention was typical. Though he wanted to augment public schools with denominational schools, he supported the existence of public schools and advocated for sustaining religion in them. Thus, he appeared to be a potential ally for NEA Protestant advocates of religion in public education. Nevertheless, he was attacked as an enemy of public education. One delegate asserted that Catholics had labeled “the common school as a Godless and heathenish institution that must be destroyed” and that Catholics have accused the common school of “being sectarian

in its character, for the reason that there was allowed the reading of passages from the Holy scriptures in a version deemed by their church as erroneous and heretical.” In the same era, Illinois and Wisconsin passed laws mandating instruction in English in order to accelerate the assimilation of students in Catholic and Lutheran schools. Educational progressives also worried about the growth of Catholic schools. Denouncing the religious “who flatly refuse to regard Pluralism as a way of life,” Walter Lippmann branded the Catholic Church as “hostile to democracy and to every force that tend[s] to make people self-sufficient.”

Out of this history arose a “public code” that viewed the secular or nonsectarian as the beneficent norm, wherein the great majority of patriotic Americans were willing to give up their idiosyncratic concerns for the good of the country. Conversely, this “public code” portrayed sectarians as obstinate and insular special interest groups, demanding their way even at the cost of the great institutions and moral fiber that made possible the freest people in the world. In a tract titled *The Old Cedar Schoolhouse*, activist George Estes called the debate over a law outlawing private education, “a battle of the mass of humanity against sects.” In an earlier Michigan campaign for compulsory public education, proponents charged parochial schools with functioning only to perpetuate a foreign language or creed. The initiative’s leader, James Hamilton (eventually King Kleagle of the Klan in Michigan) produced campaign literature demanding, “Who Shall Educate Our Youth—Uncle Sam or the Pope?” and warning that “any effort on the part of the German Lutheran people or Catholic people to prevent this meeting as is their custom will be absolute proof that parochial schools are not producing real American citizens.”

The “public code” that “100% Americanism” inherited from its anti-Catholic predecessors contained a certain definition of separationism that made it impossible for

Catholicism to fit the norm expected for Americanism, casting it as a divisive and dangerous “sectarian” creed. To be “nonsectarian” meant to be willing to give up partisan religious goals in the interest of the common weal. Separationism and nonsectarianism were necessary for the growth of a healthy body politic. When described by Americanists this all sounded very broad, as if the “nonsectarian” domain were the range of beliefs upon which all sensible Americans could agree. However, in practice it delegitimized those who stood apart from the majority. The Americanist definition of separationism excluded Catholics from meaningful participation in the public square. “100% Americanism” would continue the exclusion that had begun in the nineteenth century. Three instances vividly exemplify: the life and memoirs of Elizabeth Schoffen, the early twentieth century KKK, and the advocates of the Oregon Compulsory Education Act (OCEA, a law that outlawed private schools, with Catholics as the primary target).

All three exemplars of “100% Americanism” would claim to hold no personal animus against Catholics while excluding them from full participation in the public square. For example, George Estes (KKK official and advocate of the OCEA), graciously permitted that “*Privately*, anything desired might be taught,” (emphasis added). Yet, later in the same pamphlet, he labeled Catholics as dangerous sectarians: “Dad uster say that all kinds o’ religions was the same,” mused Estes’ wise old grandfather, “I guess that’s all true enuff but...they don’t all act the same. Some of ‘em will shake hands with each other an’ make the best of it, but not the Catholic. He’ll go off an’ herd to himself.”

## 2      **SISTER LUCRETIA—EXEMPLAR OF THE AMERICANIST INTERPRETATION OF CATHOLICISM**

The writing of Elizabeth Schoffen provides an inverted lens that enables a better understanding of the thought processes behind the Americanist exclusion of Catholics. Schoffen, also known as Sister Lucretia, was a Catholic who abandoned a life of service to the Catholic Church. As a nun who fled her Oregon convent to become a staunchly anti-Catholic activist, Schoffen was a key person in the Americanist movement. Her portrayal of the “real story” of life inside a convent may or may not give us a real glimpse of the convent life, but it certainly shows how an Americanist would interpret the Catholic hierarchy if able to view it from the inside. The entire memoir interprets Catholicism through the lens of Protestant individualism, appealing to and reinforcing a public code that would lead her to call for the effectual disenfranchising of Catholics. To buttress this kind of political conclusion, she argued that Catholicism was diametrically opposed to true American values. However, she consistently conflated Americanism with Protestant individualism. The identification of Americanism with individualism meant that only Protestants could be true Americans, since Americanists saw Protestantism’s defining feature as individual and Catholicism’s defining feature as loss of individualism to an authoritarian hierarchy. Schoffen reinforced the power of this conflation through hyperbole. She consistently exaggerated threats posed by Catholics, but in terms that would seem plausible to Americans raised on a steady diet of the fear of the Catholic menace. Given her memoir’s resonance with the “public code” of the time, she evoked a powerful response from the Americanists around her, and affected the political process as well.

## 2.1 Background on Schoffen

On the surface, Schoffen's autobiography, *The Demands of Rome* is the story of a woman emancipated from an institution that stifled her growth throughout her life, an "overburdened, entrapped nun," who finally escaped the convent walls. Elizabeth Schoffen, who went by the moniker "Sister Lucretia" with the public, grew up in a Catholic home, with a mother "absolutely under priest guidance." Along with her sisters, she was submerged in what she would later describe as idolatry and superstition. Sent to a Catholic school where she learned little beyond the catechism, the authority figures in her life steered her into the life of a nun. Though constantly attempting to excel in her service, she faced repression throughout her career. Deprived of the opportunities of normal women to improve themselves, she attempted to educate herself. Unfairly treated by a selfish hierarchy, she finally abandoned the cloistered life after decades of faithful service, converted to Protestantism, and began a Chautauqua-like speaking tour, warning other Americans of the stifling environment from which she had escaped. According to Schoffen, her aim in *The Demands of Rome* was to arouse those slumbering in a "crooked and perverted (*sic*) theology...though she may imagine that she is enjoying the greatest freedom and the happiest life." Yet, when it is viewed through the light of the Americanist "public code," it becomes apparent that her narrative is actually doing much more than warning others to avoid her mistake of devoting the best years of her life to the convent.<sup>15</sup>

*The Demands of Rome* falls within a long tradition of anti-convent screeds propagated by "100 Percent Americanism's" Protestant individualistic epistemology. Americanist individualism had no room for the convent, because the communalism of convents suppressed individual liberty. It gave someone else authority over one's beliefs and actions, thereby depriving her

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<sup>15</sup> Schoffen, *The Demands of Rome*, 1, 6.

of her autonomy. The Americanist appeal to an atomistic individualism in epistemology was a constant refrain in Elizabeth Schoffen's critiques of convents and in the storied tradition of Protestant myths about Catholics coercing women into the service of "Papism," reaching back to the early nineteenth century. Most notoriously (and perhaps with the greatest draw of public attention), advocates of this non-compromising and suspicious nonsectarianism connected Catholicism's sectarianism with a tradition of seclusion that hid immoral practices. Dr. James R. Johnson, Portland Klan leader, made speeches across Oregon accusing priests of abusing the confessional to obtain sexually stimulating revelations. He and other Klan leaders displayed ex-nuns and ex-priests before audiences eager to hear scandalous tales of sexual abuse within the cloister.<sup>16</sup> Undoubtedly on the mind of most Americans when hearing of a nun leaving a convent would be the story of Maria Monk, a deranged woman who told a tale of nuns being forced to have sex with priests and then of the baptism and strangulation of the children of the unholy unions.<sup>17</sup> Possibly because these were exactly the sorts of activities 19<sup>th</sup> century Americans expected from the Catholic Church, Monk's sensational stories were widely believed.<sup>18</sup> As seen in the case of J.E. Hosmer, credulity with respect to all rumors of immorality in institutions of Catholic hierarchies survived into the 20<sup>th</sup> century. When Hosmer hired someone to act as a spy in a convent and she found nothing salacious, he fabricated a story that she had been kidnapped and sexually abused and published it in *The Escaped Nun from Mount Angel Convent, or The Last Stand of Desperate Despotism*.<sup>19</sup> Americans were certain that the Catholic Church, by its

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<sup>16</sup> Abrams, *Cross Purposes*, 54.

<sup>17</sup> Ray Allen Billington, "Maria Monk and Her Influence," *The Catholic Historical Review* (Oct., 1936): 284.

<sup>18</sup> Nancy Lusignan Schultz, *Veil of Fear: Nineteenth-century Convent Tales* (Purdue: Purdue University Press, 1999), vii.

<sup>19</sup> Abrams, *Cross Purposes*, 51.



very nature, was destined to create more Maria Monks. State legislatures across the country participated in this tradition of suspicion, passing laws for the inspection of Catholic churches to ensure that there were no stockpiles of guns by the Knights of Columbus nor women held against their will.<sup>20</sup>

## 2.2 Context in which Schoffen Operated

The extremes of anti-Catholic Americanism to which Schoffen was committed were not without controversy. Opponents warned that Americanists, in their efforts to protect America, actually threatened the individual liberties that were the true bedrock of American principles. At the same time, they championed individual rights over a tyranny of the majority whereby a Protestant majority would force its own definition of patriotism on the minority and in the process force conformity in religion.

While also making ample use of the individual rights arguments of other opponents to Americanism, Catholics additionally attempted to prove the patriotic *bona fides*. In response to the anti-Catholic hostility of “100% Americanism,” “assimilated” Catholics argued for a vision of America as a pluralistic republic that would make room for their faith; in response to Americanist charges that they were not sufficiently American, they looked for opportunities to prove their patriotism. WWI afforded Catholics many such opportunities. The Knights of Columbus publicized their efforts to provide recreational facilities for the military, and Catholics touted the high percentage of Catholics who served in the military. In one of the more dramatic defenses of Catholic patriotism, when Charles F. Kendricks’ fitness as commander of the American Legion was questioned because of his Catholicism, he reminded his Legionnaire

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<sup>20</sup> Sharon Davies, *Rising Road: A True Tale of Love, Race, and Religion in America*, Kindle Edition (Oxford: Oxford University Press, 2011), Kindle Locations 342-350.

audience that “we didn't care whether our buddies standing beside us in that hell [WWI] were Catholics or Protestants or Jews,” and demanded to know if they had “lost that condition when we [came] back here?” He faulted his critics for undermining the “racial and religious liberty and liberty of conscience” that makes America great and then defied “any man here to say that because a man worships God on his knees or standing up or whether he says his prayers in song or in prose, that should be a reason why he should not be voted for as an officer of this body or why he should not hold a position in any community in a civil capacity.” WWI also helped Catholics settle an internal dispute on how to respond to the pressures brought by Americanism: it gave pro-assimilation Irish leaders the upper hand in struggles with opponents like German Catholics who hoped to preserve immigrants’ faith in their native language and culture. Responding to the need to demonstrate patriotism, the Catholic hierarchy mandated the promotion of Americanization through the church. By the 1920s, the Catholic leadership’s commitment to America and its eagerness to demonstrate Catholic contributions to America created a Catholic nativism that mirrored “100% Americanism.” This movement within Catholicism would persist into the 1950s, when it would play an important role in the McCarthy era<sup>21</sup> and create the magazine, *National Review*, which continues to perpetuate an updated strain of Americanism.

Despite Americanism’s emphasis on Protestant Christianity, some Protestant leaders joined Catholics in resistance to Americanism. They criticized Americanism for placing patriotism in opposition to sectarianism and consequently placing pressure on religious outliers

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<sup>21</sup> Lynn Dumenil, “The Tribal Twenties: ‘Assimilated’ Catholics’ response to anti-Catholicism in the 1920s,” *Journal of American Ethnic History* 11, no. 1 (1991): 1, 5, 3, 16-17.

to conform to the Americanist's religious ideal.<sup>22</sup> For example, in opposition to forced public schooling, Lutherans overlooked the fact that the Supreme Court had rejected arguments applying the 1<sup>st</sup> Amendment to the states and argued that "Under the constitution of the United States...you enjoy religious liberty; that is the liberty to worship God according to the dictates of your conscience."<sup>23</sup> In addition to arguments based on individual liberties, denominations who distinguished themselves from the Americanist majority's emphasis on individual interpretation of scripture by a commitment to an established body of dogma (such as The Westminster Confession of Faith) also worried that Americanism would undermine doctrinal purity. Robert Lewis Dabney, perhaps the nineteenth century's most renowned example of southern conservative Presbyterianism, went so far as to insist on complete secularity in the public schools, lest Americans give the state authority to "select a religion as the true and useful one for anybody, willing or unwilling." Instead, he insisted on upholding the truly American principle, that "no man's civil rights shall be modified or equality diminished by any religion or lack of any."<sup>24</sup> The conservative Presbyterian disdain for the tenets of "100% Americanism" continued into the 1920s. J. Gresham Machen left Princeton Seminary in the 1920s because he feared the liberal direction in which he perceived it to be heading and then founded Westminster Seminary, the flagship of conservative, intellectual response to Liberalism.<sup>25</sup> But, his conservatism did not cause him to look favorably upon Americanism. He bemoaned the fact that his age was a "time of spiritual and intellectual and political decadence," characterized by a "false

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<sup>22</sup> David Tyack, Thomas James, Aaron Benavot, *Law and the Shaping of Public Education* (Madison: University of Wisconsin Press, 1987), 183.

<sup>23</sup> Abrams, *Cross Purposes*, 57-59.

<sup>24</sup> Hart, *A Secular Faith*, Kindle Locations 948-951.

<sup>25</sup> J. Gresham Machen, "Westminster Theological Seminary: Its Purpose and Plan," in *Education, Christianity, and the State*, ed. John W. Robbin (Hobbs, New Mexico: The Trinity Foundation, 1995), 153.

‘Americanization’” that enforced a “drab uniformity which is the most un-American thing that could possibly be conceived!” He viewed laws that created a “monopoly of education by the State” or forbade teaching in languages other than English as “attack(s) upon liberty”.

Furthermore, he proclaimed: “I think I am just about as strongly opposed to the reading of the Bible in state-controlled schools as any atheist could be,” because he feared it would be “so read as to obscure and even contradict its true message—...when any hope is held out to lost humanity from the so-called ethical portions of the Bible apart from its great redemptive core, then the Bible is represented as saying the direct opposite of what it really says.”<sup>26</sup>

Secular intellectuals, from lawyers and newspaper editors to public intellectuals, reinforced the arguments of religious leaders against what they perceived to be Americanist intolerance. The *Capital Journal* in Portland described the Klan’s attempts to win political power in Oregon as “efforts of unscrupulous grafters to commercialize religious and racial animosities for personal or political profit.” The *New York Times* acknowledged the importance of assimilation but denounced the Americanist majority’s use of compulsion on the minority as a violation of the “very first principle of individual freedom.”<sup>27</sup> The journal, *Law Notes*, denounced the Lusk Act of New York (which required loyalty tests for teachers) as actually undermining the American principles it purported to support, labeling it an “un-american (*sic*) inquisition.”<sup>28</sup>

Public intellectuals sounded the alarm against tyranny of the majority. For example, Walter Lippmann brought the majoritarianism of his day into question in *American*

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<sup>26</sup> J. Gresham Machen, “The Necessity of the Christian School,” in *Education, Christianity, and the State*. ed. John W. Robbin (Hobbs, New Mexico: The Trinity Foundation, 1995), 83, 67-68, 78.

<sup>27</sup> Abrams, *Cross Purposes*, 11, 154-155.

<sup>28</sup> Tyack, et. al., *Law and the Shaping of Public Education*, 175.

*Inquisitors*, and it should come as no surprise to those familiar with his writings that H.L. Mencken thoroughly enjoyed excoriating the Americanists. Mencken described the group-thinking, self-congratulatory tenor of the age of Americanism with acerbic criticism in essays, such as “The American” and “His New Puritanism.” Americans, he complained, had lost the self-reliant individualism of their forbearers and devolved to the state of *homo boobiens*, herded into uniform masses and propelled by their fears. Those of the Americanist stripe were a mob, led by Puritanical reformers in assaulting individual liberty since “If there is one mental vice, indeed, which sets off the American people, it is that of assuming that every human act must be either right or wrong, and that ninety-nine percent of them are wrong.” Americanist principles that “such and such an idea is ‘American,’ its contrary is full of sin” would eventually, he warned “throttle all intelligence and make for a groveling and ignominious stupidity.” He deplored the fact that a mob rule characterized American democracy: “the swift way to get things done in this country was not to argue for an idea, but to arouse a hatred.” It was in response to the likes of Schoffen that Mencken labelled America a “boobocracy,” run by a “booboisie,”<sup>29</sup> “a sort of Philistine uprising against the free spirit of Man—...a conspiracy of dull and unimaginative men...against all the ideas and ideals that seem sound to their betters.”<sup>30</sup>

But, the average American appeared unlikely to concern herself with the blandishments of the likes of Lippmann or Mencken. Schoffen could look to a figure with much more name recognition for support, Theodore Roosevelt. Though he condemned the American Protective Association for trying to “proscribe Catholics both politically and socially,”<sup>31</sup> Theodore

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<sup>29</sup> Word Sense, “Boobocracy,” <http://www.wordsense.eu/boobocracy/>.

<sup>30</sup> Marion Elizabeth Rodgers, *Mencken: The American Iconoclast* (Oxford: Oxford University Press, 2005), 132-133.

<sup>31</sup> Theodore Roosevelt, “True Americanism,” *The Forum* (Apr., 1894): 27-8.

Roosevelt shared Schoffen's desire to assimilate those who did not share what they considered to be the traits at the core of the American character, and she quotes him in his attacks on both parochial schools and on teaching in any language but English.<sup>32</sup> Judged by the references made to his name in assaults on Catholic schooling for his support of public schools and his opposition to the use of public funds for sectarian schools, Americanists were eager to bring Theodore Roosevelt's name to their support.<sup>33</sup> The widespread appeal of Roosevelt's name and the popularity of his stance for enforcing assimilation can be seen in the fact that Israel Zangwill dedicated his play, "The Melting Pot" to Roosevelt because of his commitment to the ideas represented in the play.<sup>34</sup> Roosevelt summarized his understanding of Americanism with his monograph, *True Americanism*, likely the publication that made famous the phrase "America, right or wrong; always America. We are Americans." As Roosevelt averred, Americans have a right and a duty to ensure that immigrants become "like the rest of us." He had much to say about what kind of church was acceptable in America. The process of Americanization would dissolve many Old World traits of religions that immigrants brought with them: "We must Americanize [newcomers]...in their way of looking at the relations between Church and State;" "We have...little use for people who carry religious prejudices into our politics;" "We are against any recognition whatever by the State in any shape or form of State-aided parochial schools;" the immigrant "must not bring in his Old-World religious...antipathies;" "A church which remains foreign, in language or spirit, is doomed."<sup>35</sup>

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<sup>32</sup> Schoffen, *The Demands of Rome*, 109.

<sup>33</sup> Abrams, *Cross Purposes*, 39, 54.

<sup>34</sup> Richard C. Sinopolis, *From Many, One: Readings in American Political and Social Thought* (Washington, D.C.: Georgetown University Press, 1997), 196.

<sup>35</sup> Roosevelt, "True Americanism," 33, 30, 26, 27, 30, 32.

Schoffen's home state of Oregon provided especially fertile ground for her Americanism. Immigrants from the Upper South had brought a tradition of anti-Catholicism with them when they followed the Oregon Trail in the nineteenth century. Those pioneers were still venerated by their 20<sup>th</sup> century descendants and the anti-Catholicism they passed on remained strong, leaving Catholics excluded socially and economically. Advertisements for servants often added "Catholic need not apply." Applicants to teaching positions knew to list "Christian" when applications inquired as to religious affiliation. In 1921, a Catholic high school in Columbia was forced out of the city's athletic league and was not allowed to play sports with any public high schools. Catholics also suffered politically. In the 1922 election, the only incumbent circuit judge to lose was a Catholic. One prominent Portland trial lawyer felt it necessary to inform clients that he was a Catholic and that if they thought his faith might hurt their case they should feel free to choose another lawyer.<sup>36</sup>

The widespread support of the Ku Klux Klan in the 1920s also indicates the broad support that Schoffen's ideas received. Though she makes no specific mention of them in her memoirs, their commitment to "100% Americanism," resonated with her ideals and agenda. One supporter sounded just like Schoffen when defending his support of the Klan, "I will say this much...I would rather be aligned with 100% American influences than with foreign influences." Even the *Oregon Voter*, a newspaper which had been hostile to the Klan was impressed by its meeting with the Oregon Exalted Cyclops, Fred Gifford. Like Schoffen, he cloaked his message in democracy and nationalism: "We are opposed to control of American public affairs...by so called Americans whose primary allegiance is to some foreign power [code for Catholics who submitted to the Pope's authority)]". By the end of the interview, the *Oregon Voter* had anointed

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<sup>36</sup> Patricia Brandt and Lillian A. Pereyra. *Adapting in Eden*. (Pullman, WA: Washington State University Press, 2002), 91-93.

Gifford “the reputed boss of Oregon politics, who within a few years is expected to control pretty much all of the legislative and public offices in the state.” Sure enough, Gifford had already secretly inducted several state legislators into the Klan two months prior to his *Oregon Voter* interview. The Klan’s popularity reached the point where they were able to convince the Portland mayor, captain of police, chief of police, and district attorney, as well as the Supreme Council for the Masons of the southern jurisdiction of Oregon to pose for a newspaper photo with the Oregon KKK’s Exalted Cyclops and King Kleagle in full Klan regalia (though some claimed they had been tricked into participating in the photo op). Governor Ben Olcott (who had once declared that the Klan had made “practically no impression on our people”) would see 20,000 new members enter the Klan from a population of 750,000 and eventually protest that the Klan had “become so strong that the metropolitan papers of the state said not one word against them” in their latest drive to power and tell the National Governors’ Conference that “We woke up one morning and found that the Klan had about gained control of the state.” One of the few papers that openly declaimed against the Klan complained that 80 percent of the newspaper editorial boards of Oregon had failed to denounce the Klan.<sup>37</sup> Despite vigorous opposition from anti-Klan Oregonians, the Klan-backed Walter Pierce defeated Olcott in the 1922 election by a wide margin.<sup>38</sup>

### **2.3 Schoffen’s Use of the Protestant Individualistic Epistemology**

Schoffen introduced her memoir by contrasting “Americanism” with Catholic hierarchical rule. For Schoffen, Americanism meant the rule of the majority in civil matters;

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<sup>37</sup> Abrams, *Cross Purposes*, 9-11.

<sup>38</sup> The Oregon Historical Society, “Proclamation Against the Ku Klux Klan, 1922,” [http://www.ohs.org/education/oregonhistory/historical\\_records/dspDocument.cfm?doc\\_ID=cc091558-db15-08cb-583f21043e8f36ff](http://www.ohs.org/education/oregonhistory/historical_records/dspDocument.cfm?doc_ID=cc091558-db15-08cb-583f21043e8f36ff).



Catholicism meant rule by the Pope. Americanism meant freedom of thought, speech, and press; Catholicism meant “repression of individuality and the subjection of the body, soul and spirit to a ruling class (the priests) by the terrible doctrine of infallibility, for we, as Catholics and sisters, believe that the priest cannot sin, as priest.” The title of her work, *The Demands of Rome* also arose from that same clash between the hierarchy’s demands and the individual’s natural desire for freedom. Once she announced that her decision to leave the convent was final, her superior requested the return of her nun’s garb. They “wanted my garb, saying that it did not belong to me. I said that I had worn it long enough, and that I thought I was entitled to keep it. Mother Nazareth then said, “The community might DEMAND it.” I answered, “DEMAND! That is the word that has put me where I am, DEMAND. You DEMAND!” (This conversation led to the naming of my book.)”<sup>39</sup> What, on the surface appears to be a last minute quibble over a return of equipment, Schoffen took as a symbol of the hierarchy’s attempt to exert absolute control over the individual—the “demands of Rome” left no room for the individual; she could not even keep a simple piece of clothing for herself.

Schoffen describes the interplay between the Catholic hierarchy and individual nuns with various labels of subjugation. Her fellow sisters were “overburdened, entrapped nuns behind the convent walls,” and “poor, duped girls that are in these prisons of darkness.” The mechanics of this oppression were simple. Given its intrinsically hierarchical nature, it is inherent in Catholicism to deprive its devotees of liberty. Schoffen’s analysis of this repression reveals the individualist epistemology of Americanism at work in her processes. According to Schoffen, our rights come directly from God, but with the warrant of infallibility, the Pope and his priests place themselves between God and the individual, hijacking the Catholic’s rights and turning her into a

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<sup>39</sup> Schoffen, *Demands of Rome*, 3-4, 79.

slave. “It is not what [nuns] desire” that takes priority, but “the desires of the Roman Catholic system, which has them bound, tied and gagged by the vow of obedience.” The “Hell-bound” rules produced by the Catholic hierarchy present “a barrier to ‘life, liberty and the pursuit of happiness,’ which the Constitution of the United States guarantees every citizen.” As Schoffen lamented,<sup>40</sup>

I *had* to have permission from an Italian Pope even to wear the common clothes of an American citizen. Think of it, dear reader, I was an American born citizen, under the protection of the laws of this country; but because I had been born and raised a Roman Catholic, and then induced to take the vows of the Roman Catholic sisterhood, I *had* no rights as an American citizen, and had to have the permission of this self-styled “infallible” pope before I could live like other people live.<sup>41</sup>

In this passage, Schoffen’s conflation of Protestant individualism and Americanism takes on almost tangible form: an Italian Pope’s rules form an impenetrable barrier between the American citizen and her rights (with the Constitution and Declaration of Independence also conflated to form a single icon of Americanist veneration), while Protestants live free of constraints.

Such autocratic power turned every Catholic institution into a prison. At an Ursuline Convent (“a monstrous prison-looking institution”) she visited, inmates met visitors in “stalls” about eight by ten feet in size and were separated from them by iron bars. Within this cloistered order, there was a parochial school, and the children were only permitted to see their parents like convicts behind bars. Eventually, the unquestioned authority of the hierarchy destroyed the individual, leaving nothing but a cog in the machinery: “This way of doing is applying the system of authority in the old accustomed way when they want to make a human machine of

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<sup>40</sup> Ibid., 50, 104, 56, 84.

<sup>41</sup> Ibid., 84.

one—is to deprive them of all chances of interest in life, the final result is bound to be physical and mental break-down or nervous wreck...Going through this process a number of times hurries our sisters to some cemetery or asylum.” A mere cypher, the nun “is not permitted to be woman enough to be justified in her own actions.”<sup>42</sup>

Not only does the Catholic hierarchy interlope between God and the individual, it also disrupts her freedom of thought, which undermines her ability to defend her rights. Belief in the infallibility of the Catholic hierarchy has deprived Catholics of their ability to decide the truth for themselves.

By the vow of obedience a sister is to yield entire obedience of thought, word and understanding to her superior. The will of her superior must be her will, believing that black was white if the superior said so. Literally, she was like a corpse in her superior's hands, and still a tool to work for the Roman Catholic system. What is worse than mental slavery, the stultifying of all our intellectual powers and bringing them under the despotic will of another, and this behind the prison walls and barred doors of the Romish religious convent?<sup>43</sup>

To reinforce this loss of self to the control of the hierarchy, nuns were forced to engage in Catholic rituals, which Schoffen variously labeled as “superstition,” “holy rot,” or “pagan darkness.” Through these practices, the hierarchy wore down any sense of self-worth in the individual. Schoffen describes their most important daily ritual, receiving the Sacrament, with connotations of a military unit and the suggestion of coercion and loss of self in the collective that such a reference entails: they were “marched to the altar” by pairs. The hierarchy “ties up [the] virtues” of the nuns with practices like the “torturing penances.” These included “the wearing of the armlet—a chain with little prongs on it to prick the flesh; the scourging of the bare body with...[a] heavy, knotted cord; the wearing of the chastity cord—constructed of

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<sup>42</sup> Ibid., 48, 67, 57.

<sup>43</sup> Ibid., 18.

heavy, knotted cord.” The individual was brought lowest, however, with the “humiliating penances,” which included “kissing of the floor many times a day, kissing the feet of our companions, fasting, silence, eating off the floor, and many other little, petty practices and self-denials too numerous to mention.” For Schoffen, these rites essentialized the conflation of Protestant individualism and Americanism by highlighting the distinction between Protestant individualism and a Catholic loss of self to the collective: “Think of it, a system here in free, Protestant America,...holding women in subjection and demanding practices of this nature!”<sup>44</sup>



**Figure 1 Caught in the Act**

*Schoffen titled this picture: “Caught in the Act of Kissing the Floor, a Very Common Penance for the Sisters in the Order I Was a Member of” (p. 26).*

She elaborates on one particular practice, called the “culp,” in which the group brings the individual to nothing. The “culp” consists of:

Each sister kneeling before the superior, and all the other sisters charges her with every mean, contemptible, petty wrong, usually a breach of some rule of the order, which they have remarked in her during the past week. Then the “culprit” so charged acknowledges some of these faults, adds a few more herself, and, kissing the floor, asks a penance of the superior.<sup>45</sup>

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<sup>44</sup> Ibid., 48, 67, 57.

<sup>45</sup> Ibid., 26.

Schoffen's response to being forced to cut her hair exemplifies the indignation with which Americanist individualism regarded the exactions of the Catholic hierarchy and its interference with the individual's connection with God. Though Schoffen reminds her reader that "if a woman have long hair, it is a glory to her," giving up her hair was the "first demand" of Rome. To epitomize her release from captivity to the Catholic hierarchy, Schoffen includes a picture of her posing with her long hair ("A Gift from God'—Five Years' Growth") draped over her shoulder. To Schoffen, her hair symbolized all of the gifts of God that Rome demanded to fatten its depraved institutions. Children, education, work—all of blessings that God bestows on individuals to make their lives meaningful were stolen by the Catholic hierarchy, the interloper standing between God and the individual.<sup>46</sup>



**Figure 2 God's Gift**

As a counterpoise to her convent's rituals of repression, Schoffen created her own rituals of liberty. While on a trip across America with a fellow disgruntled nun, she created a patriotic celebration of sacred citizenship to replace the Catholic rite of obeisance. Of all of the "humiliating penances" she performed as a nun, the one that seemed to affect her the most was kissing the floor—the embodiment of all the debasing, stultifying constraints enforced by the

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<sup>46</sup> Ibid., 1, 100, 17, 18, 195.

Catholic hierarchy. On her pilgrimage, however, she had the privilege “to see what was dearest to our hearts in all this trip—Washington's Tomb.” In this sacred moment at the memorial of Americanism’s most revered symbol, she approached in awe. Instead of kissing the floor in penance, “We went as close as we could to the tomb, knelt down and touched the cement floor inside the vault with our hands, in feeling of gratitude for liberty to our country, even though we were bound to the government of the Pope of Rome.”<sup>47</sup> To all appearances, she has replaced veneration of a Catholic saint with veneration of Washington. But, there was a difference. For Americanists, Washington was a secular saint of the American republic. Rather than undergirding a tradition of autocratic hierarchy, he embodied a tradition that protected individual liberty from authoritarian structures, whether they were the tyranny of Britain or the tyranny of Catholicism.

Even changing her clothes upon departing the convent took on symbolic meaning. She discarded “that great load of black serge” which had weighed her down for so many decades, donned a large-flowered kimono, and tied her back hair (which the Church had forced her to cut) with “a pretty little red ribbon.” Under hierarchical rule, “Even my material body no longer belonged to myself. I was an inherent part of the order.” But now she could celebrate that liberty of body, which tends to “the development of all that is noblest and best in the individual.”<sup>48</sup>

## **2.4 Schoffen’s Attempt to Drive Catholics from the Public Square**

Like other Americanists, Schoffen claimed to have no ill will toward Catholics themselves. However, Schoffen’s fears of hierarchy boded ill for Catholics’ freedom to act in community. In every facet of Catholic tradition, where Catholics viewed themselves as citizens

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<sup>47</sup> Ibid., 111, 46, 3, 36, 33, 27.

<sup>48</sup> Ibid., 78, 17, 4.

of a common faith cooperating to create community, Schoffen desecrated combinations conspiring to rob Americans of their autonomy. Unfortunately for Catholics, Americanists like Schoffen argued that these threats required the disruption of certain Catholic practices before they could undermine American liberties. The Catholic's mental submission to an unanswerable hierarchy was a disease that could not be quarantined—once the Papal hierarchy had enslaved a Catholic, it would try to use him to enslave others. Schoffen agreed with Americanist forces like the KKK that Catholicism's threat to individual autonomy endangered the American institutions built on that autonomy, and she lauded one of the main engines of "100% Americanism" propaganda, *The Menace*.<sup>49</sup> This magazine spread its anti-Catholic message to more than a million subscribers and sustained a printing plant of more than 135 workers.<sup>50</sup> "Stand for the true American principles," she urged, "stand by that Wonder of Wonders, *The Menace*." Frightened by this Catholic specter, she joined the chorus of voices in favor of political strictures that quarantined all Catholic influence from the public sphere. Given that Catholic principles are "so diabolically opposed to our American principles," if they are allowed to continue "we may lose our precious heritage of freedom which has been handed down to us." If the Catholic hierarchy can keep eighty thousand sisters "in subjection and ignorance, do you not think that they will do the same with the seculars, if they had a little more power?"<sup>51</sup>

Slavery of any degree is a curse to society as well as to the enslaved. I beg every American to look into this question seriously before it is too late. If you continue your sleepy indifference you may some day [*sic*] wake up to find that you have over-slept, to

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<sup>49</sup> "Menace" was a popular term for Catholicism. Schoffen also praises "*Romanism—A Menace to the Nation*,[which] tells of the 'moral theology' which the priests have to study to become priests" and *The Parochial School, A Curse to the Church, A Menace to the Nation* (Schoffen, 35, 109). A little earlier, the racist politician, Tom Watson, had written "The Roman Catholic Hierarchy: The Deadliest Menace to Our Liberties and Our Civilization" (Davies, *Rising Road*, Kindle Location 297).

<sup>50</sup> Davies, *Rising Road*, Kindle Locations 319-324.

<sup>51</sup> Schoffen, *Demands of Rome*, 110-111, 4.

find that your own flesh and blood are being tricked and exploited into these "holy" institutions.<sup>52</sup>

In keeping with her rhetoric of hyperbole, Schoffen equated the voluntary taking of vows by nuns (vows which no one prevented her from disowning) with not only their slavery, but the impending slavery of the entire society.

#### **2.4.1 Quarantining Catholic Influence in Education**

Schoffen's suspicion of Catholic institutions added to the groundswell of efforts to drive them from the public square. The most prominent effort in the realm of education was the Oregon Compulsory Education Act (OCEA), a law that forced all children to attend public schools. This law purported to be aimed at all private schools. However, its major supporter was the KKK, and few doubted that its main goal was to close Catholic schools and thereby force Catholics to assimilate into Protestant culture.<sup>53</sup> Schoffen contributed to the Americanist myth that Catholic schools emphasized dogma at the expense of learning. During the years she attended a convent school, "catechism, confession, my first communion, [and] the rosary" were about all she learned. Again, in Schoffen's conflation of Protestant individualism and Americanism, Catholicism acted the interloper between the individual and her natural rights. Masking hyperbole through biography, she presented her extremist mother as a representative of Catholics at large. Schoffen "knew in a dreamy way that I was being cheated out of my right of education," but her mother said that studying the catechism was enough. According to her mother, having no education would be better than "this Protestant godless public school

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<sup>52</sup> Ibid., 108.

<sup>53</sup> Abrams, *Cross Purposes*, 7, 8.



education.” So, she was “kept in inexcusable ignorance, deprived of every opportunity for any enlightenment...no reading, no society.”<sup>54</sup>

Not only was Catholic education stifling to the intellect, it was also sectarian and divisive, pitting Catholics against the rest of society. As a child, she was only allowed to associate with one other family. Even with them, she was continually cautioned to beware, for they are not sufficiently committed to Catholicism. Her mother was suspicious of the non-Catholic world, especially of the products of public schools. Schoffen blamed her mother’s constricting influence, for leading her into the life of a nun. Other children in predominately Catholic communities suffered similar fates. “Every time you see a parochial school,” admonishes Schoffen, “just think that there is the institution taking the place of our public schools—Institutions [that are] supposed to be educational, when in reality they are institutions for the purpose of teaching Roman Catholic paganism.”<sup>55</sup> One can envision Schoffen and her mother as characters in a KKK pamphlet published in support of the OCEA. (See picture)

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<sup>54</sup> Schoffen, *Demands of Rome*, 6-7.

<sup>55</sup> Ibid., 7-9, 43.



**Figure 3 KKK Envisions Catholics Denying Children the Right to School**

The old public school stands at the center with the loyal teacher standing in the door to welcome students. The students, eager to enter the school, are held back by their mothers while a smiling priest lights the school on fire.<sup>56</sup>

More shocking, according to the Americanist editor she quoted, "the Catholic parochial school...is not founded on loyalty to the Republic, and the ecclesiastics who control it would throttle, if they could, the liberties of the American people." Like many Americanists, Schoffen had lost her patience with Catholic education. "We are blessed with one of the greatest and best public school systems in the world, and if they are not good enough for the people to send their

<sup>56</sup> Abrams, *Cross Purposes*, 55, 88-89.

children to, then this is no country for such a person.”<sup>57</sup> On the face of it, Schoffen’s castigating of Catholics appears to be someone merely losing patience with a constant griper. However, when we recall Americanism’s expectation that the sectarian, as Teddy Roosevelt stated in “True Americanism,” become “like the rest of us,” the implications are more foreboding.<sup>58</sup> After reading Schoffen, some newspapers’ dismayed response to the disturbing tendency of the Protestant majority to coerce the minority is understandable. For example, the editor of the *Portland Telegram* described the attitude of those favoring compulsory public education this way: “We, the majority, have decided what is necessary. . . . The public schools please us. Why not make them please the other fellow? Why not march him up to the school of our choice and say to him in effect: There, take that, it’s good for you.”<sup>59</sup>

Given the threat that Schoffen sensed in Catholic education’s obeisance to Catholic hierarchy, it is not surprising that she would join the chorus of Americanist voices calling for limiting Catholic influence in education. First, Schoffen echoed Teddy Roosevelt’s demand that “no sectarian school shall receive financial aid from the state.” Second, Schoffen demanded that nuns who taught in public schools not be allowed to wear their habit at work. This demand may seem like a tempest in a teapot, but that issue actually struck a sensitive nerve with the public. The importance Schoffen gave to changing into civilian clothes when she left the convent indicates how much weight religious vestments carried. They were visible signs of loyalty to hierarchy and a foreign ruler. They also made Catholics easily identifiable. Oregon schools would soon dismiss Catholics without any more explanation than “Your services are no longer

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<sup>57</sup> Schoffen, *Demands of Rome*, 109.

<sup>58</sup> Roosevelt, “True Americanism,” 28.

<sup>59</sup> Abrams, *Cross Purposes*, 22.

needed in this school system.” Revealing that Schoffen’s conflation of Protestant individualism and American was widely shared, one newspaper declared that it was “not a question of Catholic’s [*sic*] having the right to follow the teaching of their Dago Pope, but the right of Protestants to educate their children by the best public school system in the world.” Schoffen’s ultimate solution was drastic: “compel...every child...to attend the public school.”<sup>60</sup>

Schoffen’s resonance with the Americanist public code of the time is evidenced in the success of her proposed education legislation. The demand that “sectarian” schools receive no government funds was moot, since that was already the case in Oregon at the time she wrote in 1917. However, Oregon citizens would soon ostracize Catholics in a much more severe manner. The 1922 election, not only saw the passage of an initiative that banned parochial schools, it also ushered in a governor and numerous state legislators who had been backed by the KKK and proceeded to pass laws banning Japanese immigrants from owning property and requiring an English literacy test for voting.<sup>61</sup> One of their first statutes banned teachers from wearing religious garb while performing their duties.<sup>62</sup>

#### ***2.4.2 Legislation to Restrain the Catholic Threat to the Body Politic***

Beyond the realm of education, Catholics’ misplaced loyalty (to the Pope and his hierarchy, rather than to the Christian republic) merited unique suspicion in Schoffen’s mind. According to her, real Americans possessed an almost Gnostic insight into the machinations of the Catholic Church. When a church cancelled her appointed speaking event (likely to avoid controversy) Schoffen was sure that Catholics were out to silence her before she could reveal

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<sup>60</sup> Schoffen, *Demands of Rome*, 109.

<sup>61</sup> Abrams, 83-84, 128.

<sup>62</sup> David Horowitz, “The Klansman as Outsider,” *The Pacific Northwest Quarterly* 80, no. 1 (1989): 16.

their corruption, since “Any American can guess why this building was closed at the eleventh hour.” As her use of hyperbole reached the state of paranoia, Schoffen and her fellow Americanists feared that Catholics were capable of a “second St. Bartholemew's [*sic*] Day.” For Americanists the cause was undoubtedly Catholics’ fealty to a foreign hierarchy. For evidence of this treachery, Schoffen cites the late “Father” D. S. Phelan, speaking from his own “throne”: “Why, if the government of the United States were at war with the church, we would say tomorrow, to hell with the government of the United States....The Catholics of the world are Catholics first and always; they are Americans, they are Germans, they are French, or they are English afterwards.” Schoffen beseeches, “Think on these points, my dear American friend!...Decide for yourself if an institution such as the Roman Catholic system is an American institution.” Note the dichotomy. One cannot be both; one must be either Catholic or American.<sup>63</sup> The conflation of Americanism and Protestant individualism left no room for Catholics, who (in the Americanist mindset) were inextricably attached to a hierarchy inimical to America’s well-being.

The question of whether the average Protestant would be willing to place loyalty to America before Jesus never arises, for there can be no such tension. Americanism and Protestantism are one. Both find their central meaning in opposition to hierarchical mastery over the individual. “At the time of the Reformation the people who protested against the cruelties and superstitious practices of Rome took the name Protestant, and we are supposed to protest against the same teachings and cruelties today.” Schoffen called the most important publication fighting Catholic influence “a Martin Luther in print.” Similarly, “Americanism means the right to worship God according to the dictates of your own conscience.” In fact, she believed that the

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<sup>63</sup> Schoffen, *Demands of Rome*, 98, 111. 85.

identity between Protestantism and Americanism was so strong that Americans have become oblivious to it and must be reminded of the connection.<sup>64</sup>

Protestants are brought up in such grand freedom and liberty of spirit, both civil and religious, that it is almost impossible for them to believe that there can be anything to prevent Roman Catholics (I now mean the good Roman Catholic) from enjoying the same rights and privileges that they do. If my Protestant friends will just stop one moment and think about the difference between Americanism and Catholicism, then they will realize how it is that the good Roman Catholic cannot enjoy the true liberal government that their forefathers fought, bled and died for, and which they are enjoying today.<sup>65</sup>

The unity between Protestantism and Americanism becomes especially salient when Catholicism threatens both Protestantism and America. Schoffen warns that the only sure protection from a repeat of the most treacherous partisan (sectarian) assault in history, is nonsectarianism—“patriotic men and women [must] unite on one common ground and for the one cause—love of God, freedom and country.”<sup>66</sup>

Schoffen’s individualistic epistemology called for two specific pieces of legislation to rein in the Catholic hierarchy: Catholic inspection laws and the illegalization of the rite of confession. Fearing, along with Schoffen, that Catholics were stockpiling weapons in preparation for overthrowing America in the name of the Pope and that convents would “immure girls and young women and keep them in servitude, hidden from their parents and friends,” some states had already passed such statutes.<sup>67</sup> To Schoffen, it seemed inconceivable that so many American citizens would willingly surrender their free will to sacerdotal masters. More likely they were being “incarcerated [by] intimidation” or were simply “deluded victims” of the

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<sup>64</sup> Ibid., 5, 111, 4.

<sup>65</sup> Ibid., 3.

<sup>66</sup> Ibid., 35, 111.

<sup>67</sup> Ibid., 108. Davies, *Rising Road*, Kindle Locations 316, 1810.

Catholic hierarchy. “Let them be free to come and go at will,” she urged, “like any other citizen, and grant them the liberty guaranteed by the Constitution.”<sup>68</sup>

A few years later, a murderer would adopt the same line of reasoning about young women being entrapped by Catholicism to justify his crime. When a member of the KKK murdered a priest who had married his daughter to a Puerto Rican Catholic, the Klan hired future Klansman (and future Supreme Court justice), Hugo Black, as his lawyer. Key to Black’s defense was the belief that any good American father would know that a properly raised daughter could only conceivably show interest in Catholicism if the priest had somehow manipulated her. It is no coincidence that the editor of Schoffen’s favorite periodical, *The New Menace*, became involved with this trial. Around the time of the trial, *The New Menace* had been integral to spreading the fear of the Catholic abduction of women that led state legislatures to authorize warrantless searches of Catholic buildings. The jury must have found Black’s argument plausible, for they found the accused not guilty, though he admitted that he had killed the priest. In one of the saddest outcomes of Americanism, the conflation of Protestant individualism and American ideals left a Catholic outside of the protection of a jury of his peers. Incidentally, the jury manifested the Protestant individualistic epistemology in its deliberations. Preferring direct access to God over the principles of jurisprudence laid down by the courts, they considered it a hallmark of the justice of their proceedings that they opened their deliberations with the reading of Bible selections and prayer.<sup>69</sup>

In the mind of Americanists, by far the hierarchy’s most powerful tool for manipulating the thoughts and actions of individuals lay in the confessional. This fear of the practice of

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<sup>68</sup> Schoffen, *Demands of Rome*, 108.

<sup>69</sup> Davies, *Rising Road*, Kindle Locations, 4291-4294, 4173-4209, 5759, 5768-5775, p.283-4.

confession naturally emanated from Protestant individualistic epistemology since at least the early 19<sup>th</sup> century. To Protestant individualists, Catholicism "is so constructed in its doctrines, institutions, and discipline, as to receive a man into bondage when he comes in to the world; to lead him through life in bondage; and send him out of the world bound hand and foot, dependent on priestly acts and intentions." At the center of this system of "slavery for life" was "AURICULAR CONFESSION, which...is in the highest sense an INVASION of personal liberty" and hence directly contradictory to a Protestant's individualistic epistemology. As Phillip Hamburger said: "Worrying about the absolute power of the hierarchy, many Protestants saw dangers to both freedom and purity--threats in which sexual anxieties about 'our hitherto virtuous mothers and chaste daughters' seemed intimately intertwined with religious and political fears for the nation." The confessional, one anti-Catholic diatribe complained, empowered priests both to "debauch...their penitents" and to "exercise a more thorough despotism than that of any Asiatic sovereign." As William Hogan warned in *Popery As It Was and As It Is. Also Auricular Confession and Popish Nunneries*, a woman "was wax in her spiritual director's hands; she has ceased to be a person, and is become a thing." According to *The Protestant Vindicator*, priests would use confession to "rivet the chains of slavery" on the "souls as well as the bodies of men."<sup>70</sup> Fear of the confessional had not died out by Schoffen's time. Just before the publication of *The Demands of Rome*, Tom Watson (racist politician and editor of the nativist publication, *The Jeffersonian*) penned "How the Confessional Is Used by Priests to Ruin Women."<sup>71</sup>

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<sup>70</sup> Hamburger, *Separation of Church and State*, Kindle Locations 6019-6024, 2068-2074.

<sup>71</sup> Davies, *Rising Road*, Kindle Locations 297-298.



Schoffen saw the same sinister control at work. By means of confession, she believed, Rome was able to pry into the victim's heart, which was for Protestant individualistic epistemology, the most sacrosanct of substances. In the confessional, the Catholic Church forced nuns to abandon themselves to the power of "liquor-soaked" priests, whose questions were so indecent that she dared not repeat them. The nun "is absolutely in his wily meshes and victimized in his hellish power—for nothing less than hell on earth is the confessional to sisters."<sup>72</sup>

As with other hierarchical practices, the loss of individual freedom inflicted by the confessional insidiously spreads corruption into the body politic. As Schoffen quoted from *Romanism—A Menace to the Nation*,

If it is the purpose of state or government to prevent crime and eradicate its causes, the whole of this diabolical system called the Confessional, which is known to worm out the secrets of families, the weaknesses of public men, and thereby get them under control—to either silence them or make them active agents in the Roman Catholic cause—above all, the debauching of maids and matrons by means of vile interrogatories...—should be abrogated by a national law in every civilized country.<sup>73</sup>

I find it a noteworthy sign of the power of Protestant individualistic epistemology that Americanists could call for outlawing a practice so essential to Catholicism and still believe they were not hindering Catholics' freedom of religion. In their estimation, such subordination to the sacerdotal chain of command was not necessary for the individual's relationship with God. In her more unguarded moments, Schoffen reveals that properly dealing with Catholics may even require their destruction. "If the American people do not become indifferent, as they have in the past, Rome will meet the same fate here that she has met, or is meeting, in nearly every country

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<sup>72</sup> Schoffen, *Demands of Rome*, 34.

<sup>73</sup> *Ibid.*, 35.

where she has held sway for any length of time” namely, destruction. Elsewhere, she suggests that Catholicism would collapse without parochial schools, yet calls for their eradication anyway.<sup>74</sup>

## 2.5 Conclusion: Evidence of Schoffen’s Resonance with "100% Americanism"

In conclusion, the most famous evidence of the resonance of Schoffen’s Protestant individualistic epistemology with "100% Americanism" in her community is the passage of the Oregon Compulsory Education Act soon after publication of *The Demands of Rome*. However, a lesser-known incident may provide greater insight. During her speaking events, her manager draped the American flag over Schoffen's shoulder, saying ““This is to show that during her lecture Miss Schoffen is under the protection of the Stars and Stripes!”” These words “never fail[ed] to elicit tremendous applause.”<sup>75</sup> There is much more going on than a male wrapping a piece of cloth with a distinctive pattern around a female speaker. This event embodied a great, symbolic clash between Protestant freedom and the “spiritual imperium within our democratic imperio” that threatened to undermine it.<sup>76</sup> Ensconcing Sister Lucretia in an American flag (symbol of all that “100% Americanism” stood for, and carrying with it the allegiance of all “red-blooded” patriotic Americans) protected her from the sinister machinations of a “foreign hierarchical power.” When a pamphleteer had the gall to challenge that protection by distributing flyers protesting her attacks on the hospital where she used to work, the strength of the “public code” revealed itself. He was beaten unconscious and dumped outside town, not unlike the socialist who was wrapped in a flag and beaten to death during WWI. Although

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<sup>74</sup> Ibid., 5, 109.

<sup>75</sup> Ibid., 96-98.

<sup>76</sup> Hamburger, *Separation of Church and State*, Kindle Location 2034.

Schoffen may not have intended this response, the meanings with which she communicated were bigger than her autobiography.<sup>77</sup>

### 3 THE COMMON SCHOOL AS THE AMERICAN MELTING POT OF SECTS

According to the King Kleagle of the Pacific domain of the Knights of the Ku Klux Klan, America faced “the ultimate perpetuation or destruction of free institutions, based on the ultimate perpetuation or destruction of the public schools.” Consequently, defending the common school “is the settled policy of the Ku Klux Klan and with its white-robed sentinels keeping eternal watch, it shall for all time, with its blazing torches as signal fires, stand guard on the outer walls of the Temple of liberty, cry out the warning when danger appears and take its place in the front rank of defenders of the public schools.” With this call to action, the King Kleagle called the forces of patriotism to defend the Oregon Compulsory Education Act (OCEA). An initiative banning all private schooling, the most pertinent section of the act read:

Sec. 5259. *Children Between the Ages of Eight and Sixteen Years*—Any parent, guardian or other person in the State of Oregon, having control or charge or custody of a child under the age of sixteen years and of the age of eight years or over at the commencement of a term of public school of the district in which said child resides, who shall fail or neglect or refuse to send such child to a public school for the period of time a public school shall be held during the current year in said district, shall be guilty of a misdemeanor and each day's failure to send such child to a public school shall constitute a separate offense.<sup>78</sup>

The driving rationale of the OCEA was that Americanism's Protestant individualistic epistemology was non-sectarian and thus promoted liberty and freedom. Given that public school promoters touted public schools as the great engine of uniform patriotism and the common virtues that made the republic possible, using schools to pass on the sectarianism of

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<sup>77</sup> Abrams, *Cross Purposes*, 54. Hamburger, *Separation of Church and State*, Kindle Location 7388.

<sup>78</sup> J. McReynolds, “Oregon Compulsory Education Act,” as quoted in “*Pierce v. Society of Sisters* () 100 U.S. 1 296 Fed. 928, affirmed.” [http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0268\\_0510\\_ZO.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0268_0510_ZO.html).

Catholicism would be an abuse of that institution. In the era of "100% Americanism" and the heightened sense of a need to inculcate the same American principles in everyone, Catholic schools could not be tolerated. Given heightened concerns about national unity brought on by the New Immigration and the Red Scare, forced public schooling offered a welcome antidote to religious, ethnic, and other allegiances foreign to the United States.

Given the individualist ethos that fueled the OCEA, it is not surprising that the OCEA grew out of direct democracy. By the most democratic of all means, the initiative, the people of Oregon could rescue children from the various sects that threatened America by mandating that they receive instruction in public schools. This instruction would strengthen children's attachment to America's institutions. As soon as the initiative passed in 1922, the Catholic Church led opposition to it in court. Eventually, the Supreme Court heard the case, titled *Pierce vs. Society of Sisters*, named after the governor of Oregon and the Catholic school that challenged the act. The court's overturning of the act has been termed the Magna Carta of private schooling.

The idea for the initiative originated with a 1920 resolution by the Scottish Rite Masons of Colorado, proclaiming that having "all children...attend [public primary schools] and be instructed in the English language only, without regard to race or creed, [is] the only sure foundation for the perpetuation and preservation of our free institutions." The Oregon Masons adopted the same resolution later that year, but it received little attention until state senator Charles Hall picked up the issue. He ran in the Republican primaries of 1922 on a platform titled, "One Public School for All Eight Grades," demanding that Oregonians "Teach pure Americanism to all pupils at an early age." Hall's sense for the drift of public sentiment proved keen, for the Ku Klux Klan rose to prominence in Oregon with the "One Flag, One School" campaign at the center of

their "100% Americanism" platform. The Klan's oath included the vow, "I believe that our Free Public School is the cornerstone of good government, and that those who are seeking to destroy it are enemies of our Republic and are unworthy of citizenship." When the incumbent, Governor Olcott made a proclamation against the Klan, he consolidated support for Senator Hall. This support brought Hall within 600 out of 116,000 votes, prompting the *Oregon Voter* to remark that "bitter prejudice against the Catholics, based on their supposed domination in political affairs, was the actuating motive for the tens of thousands who supported Hall in May."<sup>79</sup>

The Republican primary's focus on mandated public education motivated a small group of Masons to try to place an initiative for mandated public education on the November ballot. Spearheaded by the president of the Lumberman's Trust Company in Portland and backed by fourteen prominent Masons, advocates circulated the initiative among Protestant patriotic organizations. In a single business day, they surpassed the signature requirement by 3,000 votes.<sup>80</sup>

Americanists feared groups that were not sufficiently animated with the spirit of individualism. Exalted Cyclops, Fred Gifford, spoke of his fears: "We do feel that as the allegiance of Catholics is to a foreign power, the pope, that their clannish attempts to extend the temporal power of the pope over the offices of this country is opposed to the best interests of America."<sup>81</sup> Contemporary Americans may find it ironic that the Klan's greatest fear lay in "clannish[ness]." But, it made sense in their world. Klansmen believed that they were forced to form a clan in order to resist the clannishness of the ethnic and religious groups of the New Immigration. Those cliquish groups were bound by sectarian ties. As David Horowitz has

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<sup>79</sup> Abrams, *Cross Purposes*, 7-10.

<sup>80</sup> Ibid., 15.

<sup>81</sup> Ibid., 53.

shown, Klan leaders warned that “Protestant ethnocultural solidarity” was needed to “restore equal opportunity to a society supposedly dominated by ethnic syndicates.” This commitment to equality of individual citizens is why they actually considered their educational vision to be derived from the “earliest liberals.” Because the New Immigration had allowed the American economy to be ““taken over by strangers, who stacked the cards of success and prosperity against us” and who dominated their undifferentiated fellow citizens by consuming, working, and voting in blocks, Klan spokesmen called for “ethnocultural solidarity, for assimilation of foreigners, non-Protestants, nonwhites, and political radicals; and for preservation of pioneer virtues.”<sup>82</sup>

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<sup>82</sup> David A. Horowitz, “The Klansman as Outsider: Ethnocultural Solidarity and Antielitism in the Oregon Ku Klux Klan of the 1920s,” *Pacific Northwest Quarterly* (January 1989): 13, 15, 12.

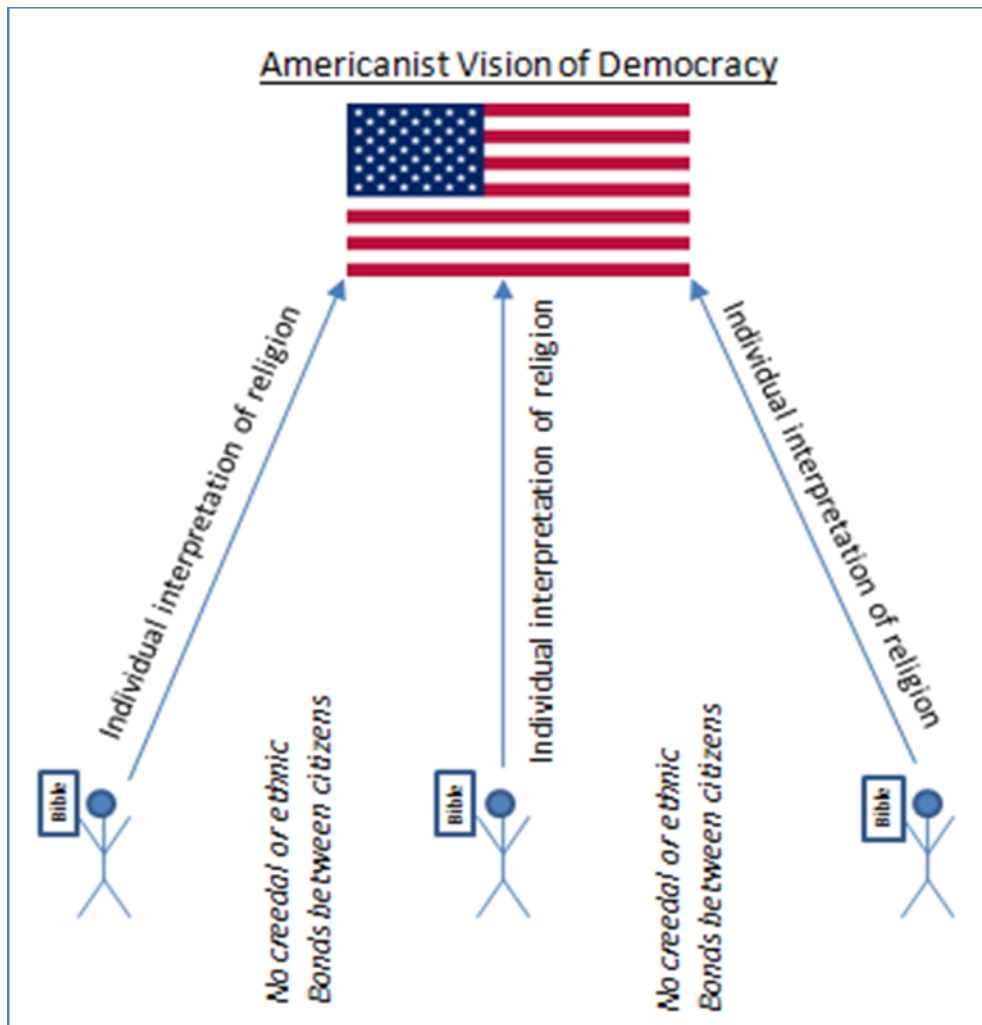
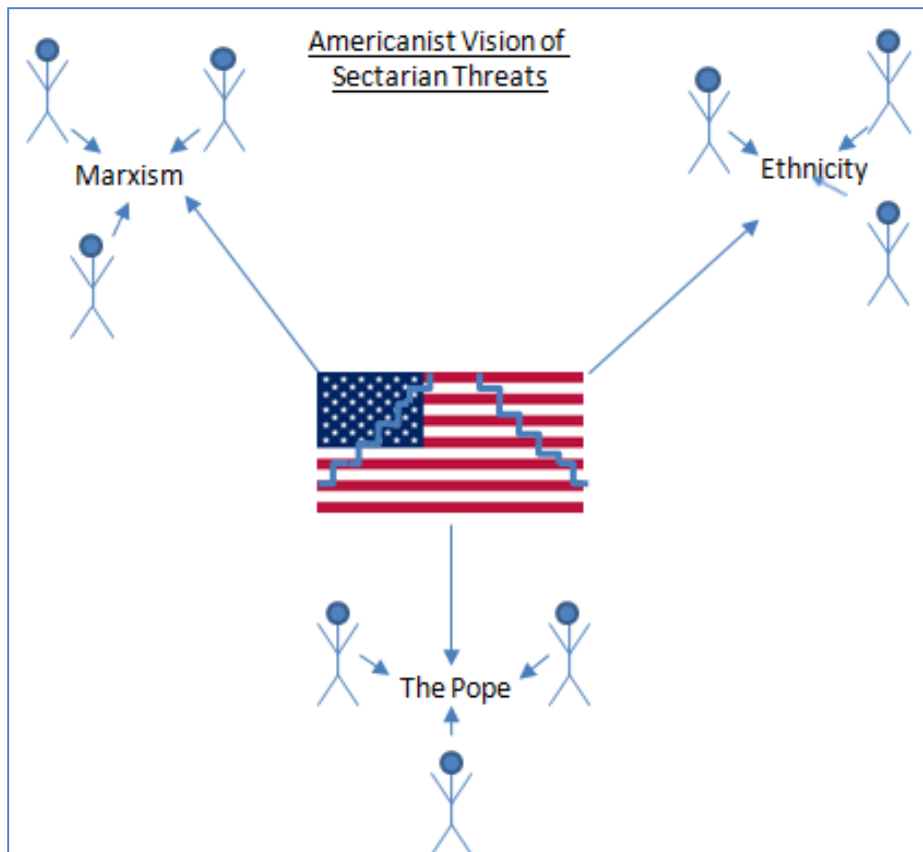


Figure 4 Americanist Vision of Democracy



**Figure 5 Americanist Vision of Sectarian Threats**

Being epistemological individualists, Americanists believed that the only bond that citizens should have with each other was love of country. However, they feared that this state left them subject to being swamped by groups that combined for the good of that group alone, as opposed to the good of the nation of individuals. For example, King Kleagle Luther Powell claimed that the fight over the OCEA represented a "battle of the mass of humanity against sects, classes, combinations and rings; against entrenched privilege and secret machinations of the favored few to control the less favored many."<sup>83</sup> "Less favored" fits the Klan's feeling of being oppressed in their own country by "machinations" of "sects" who combine in ways (race or religion) other than in that of free individuals cooperating in the love of the country that makes

<sup>83</sup> Estes, *The Old Cedar School*, 1.



them free. OCEA advocates warned that we must no divide our children into antagonistic cliques, with narrow views of life that that would force them to vie for supremacy.<sup>84</sup> As one ad in support of the OCEA noted, young private school pupils were defenseless against ideas that could destroy our free institutions.<sup>85</sup>

In particular, nativists insisted that Catholicism was incompatible with democracy. They depicted Catholics as sheep-like, herded by priests and Irish ward heelers to obey Rome or Tammany Hall. Parochial schools only made the situation worse, encouraging separatism instead of encouraging Catholics to become loyal Americans.<sup>86</sup> *The Cottage Grove Sentinel*, declared that private schools divided Americans into classes or religious sects were “out of harmony with our theory of democracy.”<sup>87</sup>

One of the most interesting pieces of OCEA propaganda would have to be the *Old Cedar School*, published by the Oregon Ku Klux Klan. This pamphlet depicts a fictional wise old, rustic grandfather trying to talk some sense into a son who has married a Catholic, opposes public schools, and is intent on sending his children to “the Academy of St. Gregory’s Holy Toe Nail.” In fact, the son considers mathematics insignificant so long as his children learn arcane Catholic doctrines, like “Histomorphology, the Petrine Supremacy, Transubstantion...[the ecclesiastical record of Peter’s Pence, together with the Beatification of Saint Caviar.” The tract aims to contrast homespun common sense and nonsectarian love of country with headstrong, divisive sectarianism. The grandfather reminded his readers that private schools were mostly run by religious denominations that endeavored to increase their membership by educating children

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<sup>84</sup> Abrams, *Cross Purposes*, 39

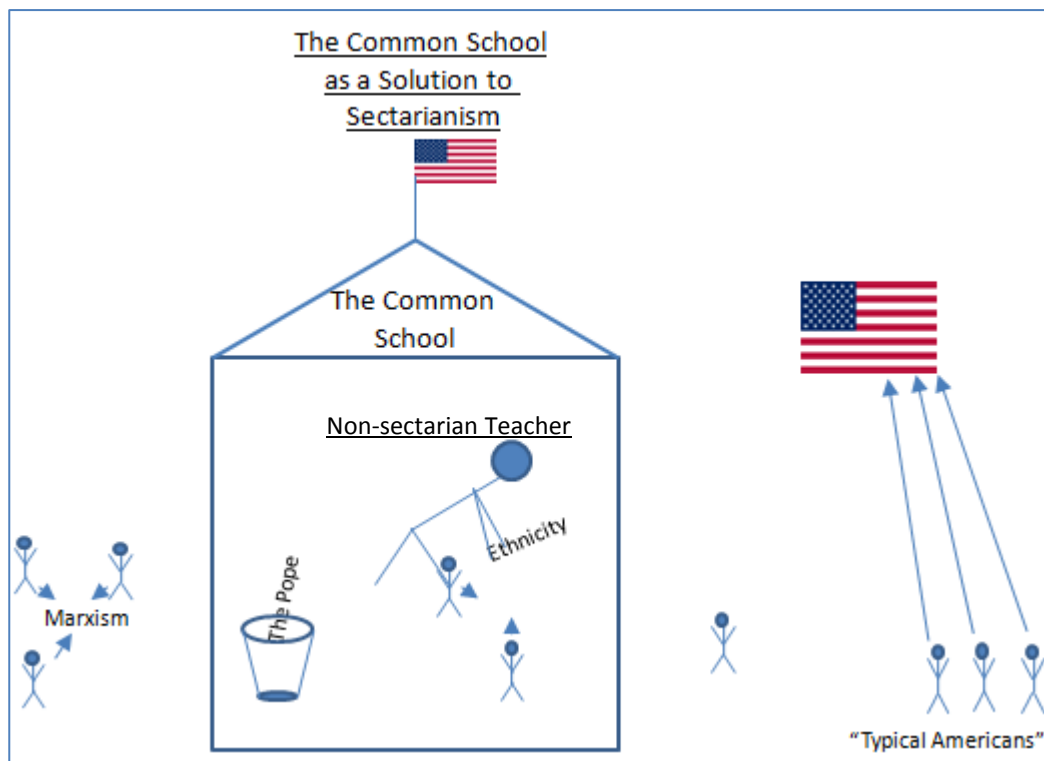
<sup>85</sup> Tyack, et. al., *Law and the Shaping of Public Education*, 179.

<sup>86</sup> Dumenil, “The Tribal Twenties,” 2.

<sup>87</sup> Abrams, *Cross Purposes*, 41.

in their ways of thinking. While he granted that all sects (from Protestants, to Catholics, to Fireworshippers) possessed this right, he bemoaned the fact the sectarian tendencies of private education undermined the public school system.<sup>88</sup>

According to Americanism's mythology, Catholicism's parochialism precluded commitment to "a unified outlook." While most denominations tried to get along with each other, the Catholic will "go off an' herd to himself." Even the constitutional arguments of the opposition merely cloaked a selfish and vicious divisiveness that feared above all else to mix with those of other beliefs.<sup>89</sup>



**Figure 6 The Common School as Solution to Sectarianism**

<sup>88</sup> Estes, *The Old Cedar School*, 26, 6.

<sup>89</sup> *Ibid.*, 24, 7.

Not surprisingly, for Protestant individualists, the solution for sectarian divisiveness lay in individualism (unhindered by religious or ethnic ties) that enabled cooperation for the good of the country. If we could replace adherence to a catechism with individual interpretation of the Bible and replace esteeming the Pope with esteeming Uncle Sam, then there would be no clannish bonding between individuals that would compete with their loyalty to the nation. The Klan, for example, “prohibited allegiance to any entity other than the United States government and itself.”<sup>90</sup> However, this perspective of students as individual units of instruction, lacking ties to institutions or belief structures and thus able to be molded into a common America was not unique to the Klan. Prominent progressive sociologist, Edward Alsworth Ross, said the job of public school teachers was “to collect little plastic lumps of human dough from private households and shape them on the social kneadingboard.”<sup>91</sup> A lawyer for Governor Pierce claimed that, “the people of all classes and distinction and of all different religious beliefs, shall meet in the common schools, which are the great American melting pot, there to become...the typical American of the future.”<sup>92</sup> William F Woodward, chair of the Oregon State Council of Defense and a leading supporter of the initiative typified the widespread opposition to clannish affiliations that private schools might perpetuate: “no private school, whatever its genesis, no matter how conducted, can equal for the purposes under which our nation exists the public school, which draws unto itself every child without regard to birth, creed, race or affiliation.”<sup>93</sup>

If students were thus made malleable by removing their idiosyncratic affiliations, common schools could then give them a “uniform outlook” that would support the institutions

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<sup>90</sup> Horowitz, “The Klansman as Outsider, 12.

<sup>91</sup> Abrams, *Cross Purposes*, 40.

<sup>92</sup> Tyack, et. al., *Law and the Shaping of Public Education*, 188.

<sup>93</sup> Abrams, *Cross Purposes*, 40-41.

that make freedom possible. The Mason publication, *New Age*, called for teaching children “along standardized lines...[to] enable them to acquire a uniform outlook on all national and patriotic questions.”<sup>94</sup> The *Oregon Teacher's Monthly* commended the School Bill for ensuring the “nationalizing influence” of public education. Paid ads re-enforced the message of periodicals. One pro-School Bill ad, entitled “Free Public Schools for Red-blooded Children,” informed its readers that only public school children gain the “viewpoint of the vast multitude—of those who form the backbone of the country.” P.S. Malcom, the inspector-general of the Masons, ran an advertisement titled “One Flag—One School—One Language.”<sup>95</sup> According to Malcom, compulsory public school attendance was necessary to insure “common ideals, to the end that American unity shall be promoted, American ideals safeguarded and American institutions perpetuated.” In public schools, all children “grow [into] a unified outlook for the commonweal...To make an all-American nation we must have all-American instruction.”<sup>96</sup>

In the eyes of its supporters, the ability of the common schools to replace divisiveness with a uniform, non-sectarian goodness made it the ultimate civilizing and republic-building tool. According to the grandfather in *The Old Cedar Schoolhouse*, it could even civilize the Turk, who “For eight hundred years...has been the terror of the civilized world:”

His frightful massacres..., in the name of his religion, has been the greatest blot upon the record of modern enlight'ment [*sic*]. The lands he has occupied stretch, a great gaping wound, across the old world; a wound that is ghastly and red...What, then, will heal the Turkish wound?

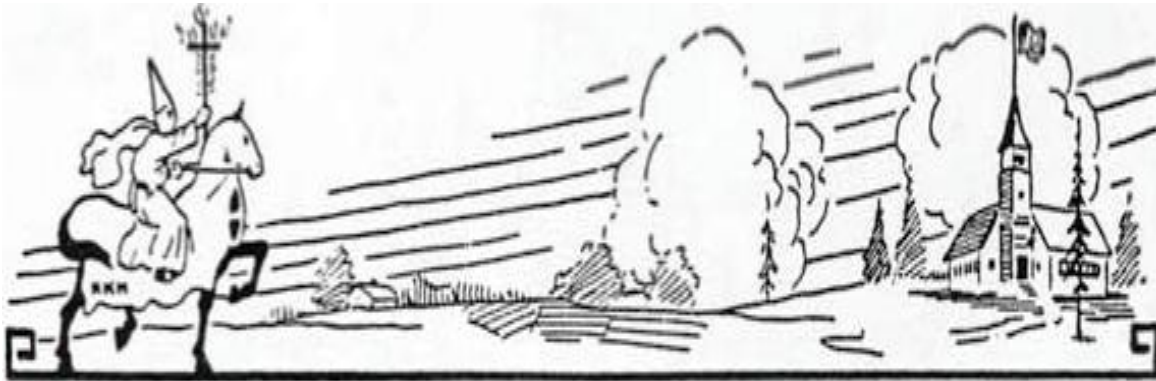
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<sup>94</sup>Lloyd P. Jorgenson, “Oregon School Law of 1922—Passage and Sequel,” *The Catholic Historical Review*, 54, no. 3 (1968): 457-458.

<sup>95</sup> Abrams, *Cross Purposes*, 41, 40.

<sup>96</sup>P. S. Malcom, “Vote 314 x Yes,” *The Oregon History Project*, [http://www.ohs.org/education/oregonhistory/historical\\_records/dspDocument.cfm?doc\\_ID=67952AA9-F890-97FC-318E5116B4350FC8](http://www.ohs.org/education/oregonhistory/historical_records/dspDocument.cfm?doc_ID=67952AA9-F890-97FC-318E5116B4350FC8).

One thing and only one. Let the powers of the world provide enough non-sectarian common school teachers like old Silas Parker of the Cedar School and establish common schools throughout Turkey and these common schools in ten years will accomplish what all the gun-powder ever made cannot do,—the abandonment of murders in Turkey by the civilization of the Turkish people.<sup>97</sup>



**Figure 7 Illustration accompanying the wise old grandfather’s speech lauding the blessings of the public school (p. 5).**

Opponents lamented this drive for uniformity. In his essay, “Reforming the Government Schools,” J. Gresham Machen drew attention to the "Children's Morality Code" proposed by “The Character Education Institute,” a Washington think-tank. Machen was a Presbyterian conservative and a believer in the need for catechisms (as opposed to individual conscience) as guides to belief. Consequently, he cited the "Children's Morality Code" as an example of the “radical error” of the attempt to replace religiously grounded principles with “morality as a consequence of patriotism.” Nevertheless, this code provides a helpful example of the attempt to replace “differences of ‘creed’” with a uniform patriotism. Here is Machen’s description of the Character Institution’s work:

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<sup>97</sup> Estes, *Old Cedar School*, 22-23.

[The "Children's Morality Code consisted of the following:] I, "Good Americans Control Themselves"; II, "Good Americans Try to Gain and Keep Good Health"; III, "Good Americans are Kind"; IV, "Good Americans Play Fair"; V, "Good Americans are Self-Reliant"; VI, "Good Americans Do Their Duty"; VII, "Good Americans are Reliable"; VIII, "Good Americans are True"; IX, "Good Americans Try to do the Right Thing in the Right Way"; X, "Good Americans Work in Friendly Cooperation with Fellow-Workers"; XI, "Good Americans are Loyal."

Here we have morality regarded as a consequence of patriotism; the experience of the nation is regarded as the norm by which a morality code is to be formulated. This...principle appears in particularly crass form in "Point Two" of the Institution's *Five-Point Plan for Character Education in Elementary School Classrooms*: "The teacher," says the pamphlet, "presents the Children's Morality Code as a reliable statement of the conduct which is considered right among boys and girls who are loyal to Uncle Sam, and which is justified by the experience of multitudes of worthy citizens who have been Uncle Sam's boys and girls since the foundation of the nation. The teacher advises the children to study this Morality Code in order to find out what Uncle Sam thinks is right. . . ." [Morality consists of that] "which is justified by the experience of multitudes of worthy citizens who have been Uncle Sam's boys and girls since the foundation of the nation."<sup>98</sup>

Machen considered attempts to encourage character development based on a uniform patriotism to be impotent: "It is useless to try to keep back the raging sea of passion with the flimsy, mud embankments of an appeal to experience. Instead, there will have to be recourse...to the stern, solid masonry of the law of God." Since exactly what this law of God amounted to was a matter of dogma, however, Machen acknowledged that his approach to character building would inevitably encourage the great bugaboo of the Americanists, "differences of 'creed.'"

However, to supporters of the OCEA, the catechisms of determined sectarians like Machen were just the type of clannishness that threatened the country. Catholic schools, in particular were seen as sectarian and disloyal, churning out "catechized monstrosities [who] would destroy all of our public schools" and "create in [their] stead a system of parochial schools...under the absolute...power of an autocratic hierarchy, [built] upon ideas foreign in

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<sup>98</sup> J. Gresham Machen, "Reforming the Government Schools," in *Education, Christianity, and the State*, ed. John W. Robbin (Hobbs, New Mexico: The Trinity Foundation, 1995), 60-62.

conception and directly contrary to the theory of . . . American democracy.”<sup>99</sup> Note the importance of belief systems. Those indoctrinated with the beliefs of a catechism, not only become monstrosities, but also become a threat. Bereft of the freedom of individual thought that is the birthright of every American, they become pawns of the “autocratic hierarchy” by whose belief system they are now controlled.

Evidence that an individualistic approach to beliefs is the real issue underlying these debates can be seen in how Presbyterians (who also adhered to a catechism) defended Catholics, despite being theologically opposed to them. J. Gresham Machen singled out the OCEA as “an excess of tyranny.”<sup>100</sup> Before Father James Coyle had been murdered by a Klansman for marrying his daughter to a Catholic Puerto Rican, he had been defended by a leading Presbyterian. Henry M. Edmonds, pastor of Birmingham’s Independent Presbyterian church, had come to his defense, both in his sermons and in the local papers. “I consider intolerance of Roman Catholicism not only un-American but un-Christian.” Of course, the anti-Catholic rabble-rouser who was the target of Edmonds’ jibes did not take this assault passively. He responded with the usual Americanist line—Catholics were free to worship “so long as their practice does not interfere with the rights of others.” Since “apologists for the Roman hierarchy” (like Edmonds) failed to see that Catholics were “usurping the functions of civil government in this country,” patriots who insisted “upon America for Americans” had nothing of which to be ashamed.<sup>101</sup>

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<sup>99</sup> Abrams, *Cross Purpose*, 53.

<sup>100</sup> J. Gresham Machen, “The Necessity of the Christian School,” 68-69.

<sup>101</sup> Davies, *Rising Road*, Kindle Locations 954-968.

An individualist epistemology can also be seen in OCEA supporters' understanding of separation of church and state. Americanist supporters of the OCEA were willing to call for the removal of the Bible from schools. In fact, as I show, some insisted on returning the Bible to the schools. The issue, then, must have been the interpretation of the Bible—was interpretation to be dictated by the individual's conscience or by a religious hierarchy? Therefore, when Americanists called for an "American" principle of separation, their goal was to keep out the influence of the Catholic religious hierarchy. For example, the American Federation of Patriotic Voters, propagated a platform that demanded "absolute separation of church and state, as guaranteed by the constitution," and the protection of schools from "ecclesiastical influence or control." Similarly, the Oregon Masons published an ad describing School Bill opponents as "those who believe the rights of church should take precedence over the rights of the state."<sup>102</sup>

Finally, their individualist epistemology hid from the OCEA supporters the fact that they were restricting Catholics' control over their children's education in a way they were not restricting Protestants. Like Elizabeth Schoffen who believed herself to be devoted to religious liberty despite wanting to outlaw confession, OCEA supporters repeatedly denied that they were interfering with Catholic liberty. As one activist said, "We are not against the way the Catholics worship, but we are against the Catholic Machine which controls our Nation."<sup>103</sup> However, their obliviousness as to how they were restricting the liberty of their fellow citizens is proof of the totalizing power of the public code of the Protestant individualist epistemology. Within their worldview, they really were being fair. Their epistemology blinded them to the fact that their own movement had its own beliefs and its own history. For example, one Klan Kleagle argued

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<sup>102</sup> Abrams, *Cross Purposes*, 58, 52.

<sup>103</sup> David Horowitz, "The Klansman as Oustider," 13.



that Catholics who “cry religious persecution when it is proposed that children shall learn common school studies” were the real oppressors. It was Catholics, he reminded his reader, who “have burned countless thousands as heretics who differed from them in religious beliefs.”<sup>104</sup> He conveniently overlooked the fact that Protestants had also killed Catholics as well as other Protestants. A legal journal of the time epitomized this tendency of majorities to arrogate to themselves the status of the unquestioned, default norm:

The unformed and undiscriminating minds of children should not be subjected to any form of propaganda. Parents are required by law to send their children to school, and have a right to expect that they will be taught nothing there except the established fundamentals. Matters of opinion have no place in the public schools and should not be allowed to get in by indirection.

As David Tyack commented, “these political fundamentalists...could not see that their convictions were quite as much ‘matters of opinion’ as the political views they attacked.”<sup>105</sup>

OCEA supporters repeatedly would claim that it was not they, but Catholics who were injecting the problem of religion into the debate. The fact that they were deliberately shutting down religious schools did not dissuade them from this conviction. As Klan proponents argued in *The Old Cedar School*,

It is for the perpetuation of the public schools that we contend and not for the destruction or injury of any religious sect. The religious questions injected into the controversy came from the opposition. The bill does not affect the teaching of religious questions in private schools.<sup>106</sup>

School Bill proponents refused to admit that their legislation would close private schools until inquiring judges forced them to own up to the obvious, and then they still refused to admit that they were infringing on anyone’s liberty. Even Paula Abrams, author of the definitive work

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<sup>104</sup> Abrams, *Cross Purposes*, 56.

<sup>105</sup> Tyack, et. al., *Law and the Shaping of Public Education*, 175.

<sup>106</sup> Estes, *Old Cedar School*, 6.

on the OCEA, missed the key interpretive tool that the epistemology of OCEA backers provides.

For instance, she finds the following Klan pronouncement incomprehensible:

"The Ku Klux Klan swears allegiance to the flag and not to the church. . . . One of our purposes is to try to get the 'Bible back into the schools, such as it was in the old days. The little red schoolhouse on the hill is the cornerstone and foundation for our government. Within the next few years we hope to see only native born Americans rule the government instead of foreigners."

She labels this statement a "garbled message [that] sounded a veritable potpourri of religious bigotry, nativism, and patriotism."<sup>107</sup> However, Abrams finds the Klan's reasoning confusing, because she does not read it through the public code in which the Klan operated. She may consider it a self-contradicting message to elevate the flag over the church while simultaneously demanding a return of the Bible into public schools. Yet, viewed through the prism of Protestant individualist epistemology, it makes perfect sense. Recall that Americanists believed that, if practiced in the right way, Americans could bring their religious beliefs to bear on public policy—no one sect would force its way on others since each individual came to their beliefs unhindered by an external sacerdotal authority. Common among Protestants was the view of Thomas Curtis, professor of theology at Lewisburg, Pennsylvania in 1885. Since "the power of the priesthood resid[ed] in every member of the whole Church," a nation could adhere "to great religious principles [as] the principal source of its strength" without falling into the "sad error" of a union of Church and State. Many Protestants wanted to exclude sects from public institutions but "welcomed Bible reading and other elements of Protestant religion, which seemed to be the faith of free individuals." Baptist spokesman, George C. Lorimer, argued in 1877 that, "The position of the Bible in the schools is not the result of any union between Protestants and the State; nor was it secured by the political action of one denomination, or of all

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<sup>107</sup> Abrams, *Cross Purposes*, 53.

combined. The Church, as such, did not put it there, and the Church, as such, cannot take it away." Rather, it was the "people" who put it there.<sup>108</sup> "The good old days" of Bibles in classrooms were not a figment of the Americanist imagination. When they called for a return of the Bible to the schools, OCEA backers were merely continuing a generations-old tradition of giving preference to beliefs that were obtained through individual cogitation as opposed to an external authority. Bringing the Bible back into the classroom was acceptable as long as the individual was allowed to interpret it for himself, but submission to Catholic authority would hand over the reins of power to the Pope.

In the end, Americanist appeals to fear of clannishness won out. Although opponents had spent four times as much as supporters, the OCEA earned 52.7% of the vote in a high turnout election. Though rich neighborhoods opposed the initiative, middle and working class regions with high Klan support approved it by wide margins. The Archbishop of Oregon, who had done so much to establish Catholic schools there, immediately announced his intention to take the case all the way to the Supreme Court.<sup>109</sup>

#### **4 PROTESTANT INDIVIDUALISM IN ARGUMENTS BEFORE THE SUPREME COURT**

Underlying the legal arguments presented to the Court were dueling epistemological theories. The state's argument was consonant with an individualist construal of liberty. It followed roughly the following path: The proper origin of beliefs is the autonomous individual; the proper loci of connection between free and autonomous individuals is a love of the nation that preserves their autonomy; any inter-individual connections that precede the nation tend to

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<sup>108</sup> These two quotes come from my presentation to the GSUHA on April 4, 2014. Philip Hamburger. *Separation of Church and State*, Kindle Locations, 2734-2752.

<sup>109</sup> Abrams, *Cross Purposes*, 84, 85.

become sectarian combinations that threaten the nation's coherence and are, therefore, fit subjects of democratic control; hence, if the people of Oregon sense that sectarian parochial schools threaten to divide the nation, it is proper for them to quell that sectarianism.

The plaintiffs' argument was consonant with a construal of rights based on organic communities that preceded the nation: families, steeped in religious communities, should provide the primary influence on children's beliefs. Hence, parents have the right to create educational communities (parochial schools) in cooperation with their religious communities.

The state made three key points in its arguments before the Supreme Court. First, the state argued that enabling religious schools to teach state curriculum would violate the separation of church and state. Second, the state's major argument pointed to the need to assimilate citizens who were rending the nation with the many forms of divisiveness that threatened national unity. Government control of education could ensure assimilation whereas private education (and, in particular, religious schools) threatened to undermine assimilation and national unity. Third, this argument was reinforced by the general respect that ought to be accorded to the people's right to choose a law in a democracy.

The state claimed that it was legitimate for Oregon to mandate public schooling, since if religious schools were allowed to teach state curriculum, they would violate the separation of church and state.<sup>110</sup> Again, this argument is in line with previous Protestant individualist thought. Backers of the School Bill did not consider it a violation of separation of church and state to "bring the Bible back into the schoolhouse," because individuals were free to interpret it for themselves. However, they held that allowing religious institutions to teach state

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<sup>110</sup> Ibid., 177, 182-3.

requirements would inject the mandated creed of a religious hierarchy into activities that belong to the state.

The central clash between the state and the plaintiffs arose over the purported need to assimilate citizens against the many forms of divisiveness that threatened national unity. The plaintiffs' position was a concept anathema to Protestant individualists. The plaintiffs had asked, "What more natural than that we should desire them to be taught our own faith, to cherish whatever religion we accept, to hold fast to the moral precepts taught with or in our own creed, and to learn these things from teachers of our own choosing?"<sup>111</sup> They dared appeal to that most divisive of all forces, "creed." In the thinking of Protestant individualists, that force bound all religious clans together in violation of the principles of democracy and in competition to national unity.

Such thinking is exactly what the state hoped to expurgate. The state went so far as to argue that it was within its prerogatives to eliminate all private schools since they "may possibly teach prejudicial, unpatriotic, or subversive doctrines." According to Senator Chamberlain, the lead advocate for the state, the citizens of Oregon may have voted for the School Bill because they saw in religious schools a threat to the country's security. The governor's brief argued that with private schooling, "nothing [would] prevent the establishment of private schools, the main purpose of which will be to teach disloyalty to the United States." In sum, "it is hard to assign any limits to the injurious effect, from the standpoint of American patriotism, which may result." Unpatriotic and disloyal citizens would not be expected to defend their country in times of a crisis. During the Red Scare, this danger could be expected to gain even more traction than it had in decades past.<sup>112</sup>

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<sup>111</sup> Ibid., 176.

Underlying this threat to security was the religious divisiveness that the state was convinced private education fostered. By separating children into sects, parochial schools encouraged "religious suspicions." The only reason parochial schools "insist on depriving these children" of a "public school education...is to stamp upon its children a distinction which is to set them apart during the rest of their lives, and to make them other than they would be if they grew up in the atmosphere of the democracy of the public schools." In contrast, to private schools that might place allegiance to their sect over allegiance to their country, the School Bill guaranteed an education without "class or religious bias," thus ensuring the production of citizens without attachments antecedent to love of country. Thus denuded of other loyalties, these citizens were more likely to root their sense of identity in the nation. Recognizing that it could not, "under any pretext" allow divisive forces to separate children into "antagonistic groups" where they would "absorb the narrow views of life as they are taught," the state of Oregon was attempting to protect democracy from the threat of indoctrination in the divisive tenets of sects.<sup>113</sup>

The plaintiffs did not challenge the state's power to mandate education and then to regulate it.<sup>114</sup> Nor did they question "the desire of the Legislature to foster a homogenous people with American ideals prepared readily to understand current discussions of civic matters."<sup>115</sup> They only challenged what they called the "attempted *monopolization* of education by the State." Comparing the School Bill's product with the "state-bred monster" of the Platonic, Spartan, or Soviet commonwealth where "children do belong to the state," the plaintiffs argued that "under

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<sup>112</sup> Ibid. 185, 161, 172-3.

<sup>113</sup> Ibid. 176-177, 191, 181.

<sup>114</sup> Ibid., 137

<sup>115</sup> *Pierce vs. Society of Sisters*, Doc. No. 583: p. 29

our civilization, the child of man is his parent's child and not the state's." Furthermore, they averred, the abundance of support for parental rights in the history of common law justified incorporating them into the Fourteenth Amendment. Finally, according to the plaintiffs, if children belong to the parents, parents should be allowed to inculcate the "creed" of their choice through the teacher of their choice.<sup>116</sup>

Senator Chamberlain, the state's leading counsel dismissed the appellant's argument about parental rights. According to Chamberlain, Catholic parents lost their right to decide their children's education to the Roman hierarchy when Rome's canon law forbade children from attending non-Catholic schools without their bishop's permission. "I challenge the statement, that there is any liberty to the parents or to children under the rules of the church."<sup>117</sup> Like generations of Protestant individualists, Sen. Chamberlain did not realize that he was presuming the role that a hierarchy should be allowed to play in an individual's belief system and consequently treating Catholics (as well as other "sects") differently than Americans who see no role for a hierarchy in their belief system.

#### **4.1 The Supreme Court's Ruling**

Though the Court struck down the School Bill, it only obliquely addressed the epistemological conflict underlying the two sides. By declaring that the School Bill "unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children under their control" the court opposed the stark individualism of the state that had emphasized the relationship between the state and the individual in its rulings. Whereas Chamberlain had "challenge[d] the statement, that there is any liberty to the parents or to

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<sup>116</sup> Abrams, *Cross Purposes*, 137, 174-176

<sup>117</sup> Ibid., 189.

children under the rules of the church,"<sup>118</sup> the court highlighted the priority of family relationships over the state's connection with the individual:

The fundamental theory of liberty upon which all governments of this Union rest excludes any general power of the State to standardize its children by forcing them to accept instruction from public teachers only...The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."<sup>119</sup>

So, in contrast to the individualism of the state's position, the court recognized at least one community prior to the state—the family. However, the court never addressed the issue that had long fired the zeal of Protestant individualism in its war against Catholicism—it made no mention of the role that a religious hierarchy could play in the education of a child.

## 4.2 Reception of the Supreme Court's Ruling

Overall, *Pierce* was seen as a victory, though an incomplete one, for advocates of religious schooling. Some supporters of the OCEA were determined to keep fighting. The leader of the Michigan Klan wrote Oregon's attorney general, encouraging him to seek a rehearing and offering his attorney's assistance. Governor Pierce (who had won the 1922 election in no small part because he backed the OCEA while his opponent had attacked both the OCEA and the Ku Klux Klan) admitted that the ruling made it impossible for states to mandate public schooling. Nevertheless, on the day after the ruling, he proposed amending the United States Constitution so as to mandate public schooling for the nation.<sup>120</sup>

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<sup>118</sup> Ibid., 198, 189.

<sup>119</sup> *Pierce v. Society of Sisters* - 268 U.S. 510 (1925), P. [268 U. S. 535](https://supreme.justia.com/cases/federal/us/268/510/case.html), Page 268 U. S. 536, [http://supreme.justia.com/cases/federal/us/268/510/case.html](https://supreme.justia.com/cases/federal/us/268/510/case.html)

<sup>120</sup> Abrams, Cross Purposes, 202, 84, 203.



However, Oregonians in general seemed relieved. Both the Klan's influence and fear of radicalism had waned since the passage of the OCEA. Although *The Oregonian* had not opposed the initiative until late in the campaign, it now displayed confidence that the right decision had been made. Calling the ruling "wise" and claiming that the ruling was "foreseen by many including this newspaper," the paper failed to acknowledge that it had waited until late in the campaign to oppose the School Bill. The *Corvallis Gazette-Times*, a rare paper to take a determined stand against the OCEA lamented that "mob rule" had "alienated forever friends of many years standing and created animosities and hatred which will not die in their generation." The Assistant Attorney General Willis S. Moore lay to rest rumors that the state might perpetuate the issue, announcing that the Court's unanimous opinion "settles the fate of the law."<sup>121</sup>

Some opponents of the OCEA celebrated *Pierce* as a clear victory over the evil "Prussian" law, the "Magna Charta" of education. The National Catholic Welfare Council (NCWC) found that the ruling "leaves the matter safe and secure." By founding their ruling on the natural rights of parents, the Court established private schooling on the foundation of a "political philosophy above the written constitution." Furthermore, the NCWC felt that, by denying states the authority to "standardize" children, the Court had denied states the power to mandate uniformity in curriculum.<sup>122</sup>

But, some leading opponents had misgivings. Felix Frankfurter expressed relief that "Thus comes to an end the effort to regiment the mental life of Americans through coerced public school instruction," but he mourned that "a heavy price [had] to be paid." He feared that "the Supreme Court's control of legislation by the states" could threaten future liberal legislation sponsored by the states. Also Frankfurter worried that "loose phrases" regarding the states' power over education had left

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<sup>121</sup> Ibid., 200-203.

<sup>122</sup> Ibid., 201-202, 204.

"ample room for the patrioteers to roll in their Trojan horses," because they "temptingly indicated to those bent on coercion how much room for mischief there is still left under the aegis of the Constitution." Some Catholics shared this concern. As one Catholic official stated, "A careful reading of the decision should sober those who are inclined to be drunk with enthusiasm over this decision," because Catholic schools were still liable to suffer from state interference. They were happy to have parental rights confirmed, but given the ambiguity of the relationship between the power of the state and the power of the parent in the Court's ruling, there was no telling how much control over private schools the state might eventually obtain. Nor was *Pierce* powerful enough to erase Catholic leaders' awareness of the tenuous status they held as a religious minority. When Charles Evans Hughes, asked Guthrie to discuss *Pierce* when giving the keynote address at the annual American Bar Association meeting, Guthrie demurred. Thinking it "essential" to avoid "anything that would be likely to stir up a controversy...on the subject of the public schools," Guthrie feared that a speech on *Pierce* "might precipitate a dispute which would serve no useful purpose except to enable some fanatics and extremists to ventilate their views."<sup>123</sup>

## 5 CONCLUSION

Given the concerns Americanists raised about educating all the children of a pluralistic society and the need to instill a common attachment to the republic, were there solutions alternative to ostracizing Catholics? Yes, and they were not theoretical but actually practiced. First of all, when left alone, diverse local communities were capable of creating compromises with which all of the various factions could live. Secondly, Catholic theory provided its own way of encouraging in its believers a commitment to the larger society outside of the Catholic community, thereby mooting the nativist fear of divisive Catholic sectionalism. Unfortunately,

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<sup>123</sup> Ibid., 202-205.

these solutions earned less attention than did conflicts between Catholics, Protestants, and secularists.

Contrary to common understanding, Bible-use was never approached with anything like unanimity. However, this fact was not due to burning desire by leading intellectuals to drive God from the public square. Rather, the decision to keep the Bible out of schools was produced by local communities merely seeking to avoid controversy and maintain focus on the “3 Rs.” In fact, most New York school districts excluded the Bible from the classroom before the influx of Catholics. Many communities followed a similarly pragmatic line of reasoning in deciding to prohibit religious activities in public school facilities, not “because they burned with Christian fervor, but because they burned the schoolhouse wood.”<sup>124</sup>

As Benjamin Justice shows in his study of New York state schools throughout the nineteenth century, localism, pragmatism, and compromise created years of tranquility. As one school district superintendent remarked, “Experience shows that where those who favor the use of the Bible are moderate in their demands and considerate in their attitude, a satisfactory adjustment can usually be made.”<sup>125</sup> In that state, the legislature maintained a broad framework within which local school districts could accommodate diversity, and districts were usually able to hammer out a deal with which everyone could live.

School districts enjoyed the opportunity to try out a surprising variety of solutions. Sometimes the community simply agreed to ban religious exercises, but at other times the solutions were more creative. Through slight alterations to district boundaries, districts could

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<sup>124</sup> Benjamin Justice. *The War That Wasn't: Religious Conflict And Compromise In The Common Schools Of New York State, 1865-1900 Kindle Edition* (Albany, NY: State University of New York Press, 2005), Kindle Locations 3077-3087.

<sup>125</sup> *Ibid.*, 3088-3115.

ease inter-sectional tensions by creating homogeneous districting—a Catholic enclave would have its district and the Protestant enclave would have its district. They could also create ethnoreligious-themed schools. In one community, no one complained when a school incorporated Shaker doctrines into the school’s teaching because the entire community was made up wholly of Shakers. The Shakers provide the perfect example of New York’s ability to accommodate differences within a coherent community, for they were the epitome of the sectarianism that nativists dreaded, eschewing what they labeled “the world” and its wicked influences. When parents did want religious activities in the classroom, they could often come up with compromises over the shape of those activities. For decades, some districts allowed the schools to use the Douay Bible in place of the King James version. Most importantly, this system of local compromise and give-and-take had legitimacy in the minds of the parents. The record of appeals to the state board of education shows that New Yorkers tended to abide with local decisions even when they disagreed with them.<sup>126</sup> Justice describes the atmosphere of compromise in which minorities and majorities cooperated:

Minorities often seemed to tolerate [religious practices in schools] because the exercises themselves were already a form of compromise—rote, brief, unannotated, and often ignored. Many parents may have found these exercises unpleasant but did not consider them worth protesting formally. In a number of cities and towns, parents did not object until someone gunning for conflict fired them up.<sup>127</sup>

Importantly, in a pluralistic country with heated (often violent) conflicts between Protestants and Catholics, compromise in New York often did not rely on altruism in the hearts of the sectarians at variance but on pragmatic considerations that made compromise seem in the best interest of all involved. Since an aggrieved party could always appeal to state authorities

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<sup>126</sup>Ibid., Kindle location, 3088-3094, 1063-1069, 3055, 3088-3094.

<sup>127</sup> Ibid., Kindle Locations 3102-3105.

(and thereby incur financial penalties on the school district), there was an incentive not to violate the rights of minorities. Moreover, people working in public schools had a vested interest in maintaining job security by preserving peace between religious groups.<sup>128</sup>

Not only could local Catholic and Protestant factions work out their own problems within their locale, Catholics also had their own vision of how to instill a commitment to the commonwealth beyond the Catholic community. In his Papal encyclical “On Christian Education,” Pope Pius XI showed how Catholic thought could align with and fulfill the concerns that secularists had concerning the need to have citizens commit to the common good. First of all, Catholics had their own vision of separation of church and state:

God has divided the government of the human race between two authorities, ecclesiastical and civil, establishing one over things divine, the other over things human. Both are supreme, each in its own domain; each has its own fixed boundaries which limit its activities. These boundaries are determined by the peculiar nature and the proximate end of each, and describe as it were a sphere within which, with exclusive right, each may develop its influence.

The encyclical even asserts that everything in the civil and political order that lays outside of the “salvation of souls and the worship of God...rightly comes under the authority of the State.” Not only does the Church not get in the way of the state’s ordering of the commonwealth, it serves as the state’s best servant in this mission by encouraging its adherents to be good citizens. The more a nation fosters the spiritual powers within it, the more it contributes to the commonwealth. For it is the aim of the church “to form good Christians ...and in doing this it helps at the same time to form good citizens, and prepares them to meet their obligations as members of a civil society.” He quotes Augustine as evidence of this proposition:

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<sup>128</sup> Ibid., Kindle Locations 3094-3098.

Let those who declare the teaching of Christ to be opposed to the welfare of the State, furnish us with an army of soldiers such as Christ says soldiers ought to be; let them give us subjects, husbands, wives, parents, children, masters, servants, kings, judges, taxpayers and tax gatherers who live up to the teachings of Christ; and then let them dare assert that Christian doctrine is harmful to the State. Rather let them not hesitate one moment to acclaim that doctrine, rightly observed, the greatest safeguard of the State.<sup>129</sup>

The proposition that Catholics were every bit as patriotic as their fellow Americans did not rest on mere theory. In his brief to the Supreme Court in the *Pierce* case, William Guthrie echoed the Pope's thought process, pointing out that parochial schools teach "patriotism, obedience to the law and loyalty to the Constitution...not merely as a patriotic duty, but a religious duty as well" and that they exalt "the best and highest ideals of American patriotism and citizenship." For more concrete evidence, Catholics could point to the large number of Catholic men who had given their lives fighting on behalf of America during World War I.<sup>130</sup>

As America grows even more diverse, the country can benefit from the experience of Catholics finding their place in America. Does America need to tell people of all different faiths (not just Catholics, but now also Eastern Orthodox, Buddhists, Muslims, and Hindus, to name only the more prominent faiths contributing to the influx) that they must suppress their faith if they hope to be true Americans? Or can we invite them to find resources within their faith that empower them to contribute to the commonweal? As nineteenth century New York did with its diverse local educational communities, can contemporary Americans not also grant them the open communal spaces in which they are free to find the resources that enable them contribute to

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<sup>129</sup> Pope Pius XI, "Divini Illius Magistri: Encyclical of Pope Pius XI on Christian Education," [http://www.vatican.va/holy\\_father/pius\\_xi/encyclicals/documents/hf\\_p-xi\\_enc\\_31121929\\_divini-illius-magistri\\_en.html](http://www.vatican.va/holy_father/pius_xi/encyclicals/documents/hf_p-xi_enc_31121929_divini-illius-magistri_en.html), 10-11.

<sup>130</sup> Abrams, *Cross Purposes*, 177, 25.

the commonweal and live in harmony with those with whom they share a community but not a faith?

In *Pierce*, the Supreme Court acknowledged the validity of “the desire of the Legislature to foster a homogenous people with American ideals prepared readily to understand current discussions of civic matters.”<sup>131</sup> Yet, that leaves open the question of to what extent American society should deliberately attempt to make the immigrant “like the rest of us” (as Teddy Roosevelt proposed) in order to ensure their commitment to the common good.<sup>132</sup> One vocal advocate of both Protestantism and patriotism, J. Gresham Machen, warned of the dangers inherent in a forced uniformity:

The child ought indeed to be taught to love America and to feel that whether it is good or bad it is *our* country. But the love of country is a very tender thing, and the best way to kill it is to attempt to inculcate it by force. And to teach, in defiance of the facts, that honesty and kindness and purity are peculiarly American virtues—this is surely harmful in the extreme. We blamed Germany [in World War I], rightly or wrongly, for this kind of thing; yet now in the name of patriotism we advocate as truculent an inculcation of the same spirit as Prussia could ever have been accused of at its worst.<sup>133</sup>

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<sup>131</sup> *Pierce vs. Society of Sisters*, Doc. No. 583, 29.

<sup>132</sup> Roosevelt, “True Americanism,” 28.

<sup>133</sup> Machen, “Reforming the Government School,” 62.

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